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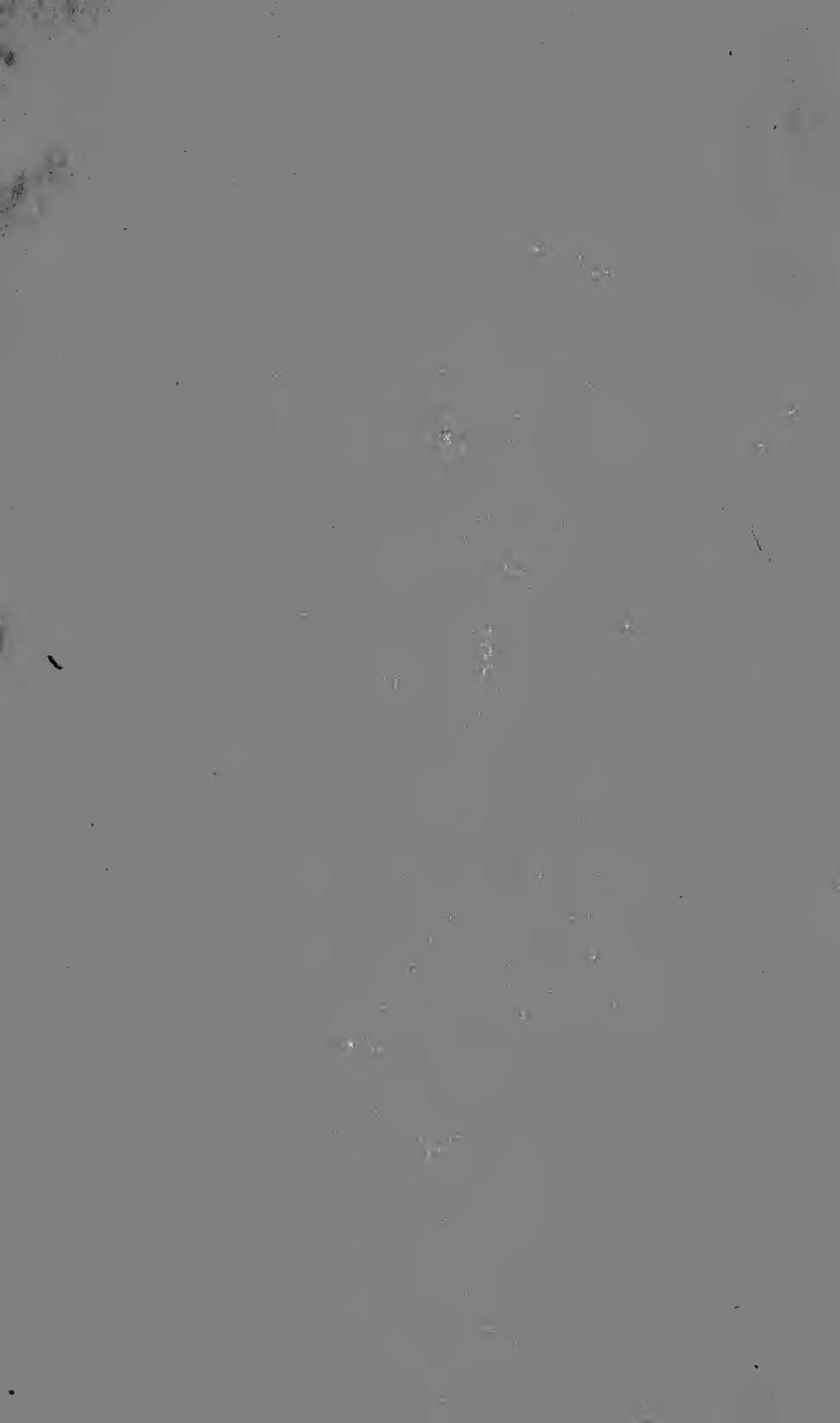


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JOURNAL

OF THE

UNITED STATES

In CONGRESS Assembled:

CONTAINING THE

PROCEEDINGS

FROM

The 3d Day of NOVEMBER, 1785.

TO

The 3d Day of NOVEMBER, 1786.

VOLUME XI.

PUBLISHED BY ORDER OF CONGRESS.

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JOURNAL

OF THE

United States, &c.

MONDAY, November 7, 1785.

PURSUANT to the articles of confederation, the following gentlemen attended as delegates from--

Massachusetts,	Mr. Rufus King,
New-York,	Mr. John Haring,
	Mr. Melancton Smith.
New-Jersey,	Mr. John Cleye Symmes,
Maryland,	Mr. James M'Henry,
	Mr. William Hindman.
South-Carolina,	Mr. John Bull,
	Mr. Charles Pinckney,
	Mr. John Kean.
Georgia,	Mr. William Houftoun.

TUESDAY, November 8, 1785.

The following gentlemen attended, from--

Massachusetts,	Mr. King.
New-York,	Mr. Haring,
	Mr. Smith.

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New-Jersey,	Mr. Symmes,
	Mr. Hornblower.
Maryland,	Mr. M'Henry,
	Mr. Hindman.
South-Carolina,	Mr. Bull,
	Mr. Pinckney,
	Mr. Kean.
Georgia,	Mr. Houstoun.

W E D N E S D A Y, *November 9, 1785.*

The following gentlemen attended, from--

Massachusetts,	Mr. King.
New-York,	Mr. Haring,
	Mr. Smith.
New-Jersey,	Mr. Symmes,
	Mr. Hornblower.
Maryland,	Mr. M'Henry,
	Mr. Hindman.
South-Carolina,	Mr. Bull,
	Mr. Pinckney,
	Mr. Kean.
Georgia,	Mr. Houstoun.

T H U R S D A Y, *November 10, 1785.*

The same as before.

F R I D A Y & S A T U R D A Y, *Nov. 11 & 12, 1785.*

The same as before.

M O N D A Y, *November 14, 1785.*

The same as on Wednesday last ; and from--

New-York,	Mr. Lawrance.
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T U E S D A Y, *November 15, 1785.*

Massachusetts,	Mr. King.
New-York,	Mr. Platt,
	Mr. Smith.

New

New-Jersey,	Mr. Symmes,
	Mr. Hornblower.
Maryland,	Mr. M'Henry,
	Mr. Hindman.
South-Carolina,	Mr. Kean,
	Mr. Pinckney.
Georgia,	Mr. Houstoun.

W E D N E S D A Y, November 16, 1785

Massachusetts,	Mr. King.
New-York,	Mr. Lawrance,
	Mr. Smith.
New-Jersey,	Mr. Symmes,
	Mr. Hornblower.
Maryland,	Mr. M'Henry,
	Mr. Hindman.
South-Carolina,	Mr. Pinckney,
	Mr. Kean.
Georgia,	Mr. Houstoun.

T H U R S D A Y, November 17, 1785.

Massachusetts,	Mr. King,
	Mr. Nathan Dane.
New-York,	Mr. Lawrance.
New-Jersey,	Mr. Symmes,
	Mr. Hornblower.
Maryland,	Mr. M'Henry,
	Mr. Hindman.
Georgia,	Mr. Houstoun.

F R I D A Y, November 18, 1785.

Massachusetts,	Mr. King,	
	Mr. Dane.	
New-York,	Mr. Lawrance,	
	Mr. Smith.	
New-Jersey,	Mr. Symmes,	
	Mr. Hornblower.	
Maryland,	Mr. M'Henry,	
	Mr. Hindman.	South-

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South-Carolina, Mr. Kean.
Georgia, Mr. Houstoun.

SATURDAY, *November 19, 1785.*

Massachusetts, Mr. King,
Mr. Dane.
New-York, Mr. Lawrance.
New-Jersey, Mr. Symmes,
Mr. Hornblower.
Maryland, Mr. M'Henry,
Mr. Hindman.
Georgia, Mr. Houstoun.

MONDAY, *November 21, 1785.*

Massachusetts, Mr. King,
Mr. Dane.
New-York, Mr. Lawrance,
Mr. Smith.
New-Jersey, Mr. Symmes,
Mr. Hornblower.
Maryland, Mr. M'Henry,
Mr. Hindman.
South-Carolina, Mr. Kean.
Georgia, Mr. Houstoun.

TUESDAY, *November 22, 1785.*

Massachusetts, Mr. King,
Mr. Dane.
Connecticut, Mr. Johnson.
New-York, Mr. Lawrance
Mr. Smith.
New-Jersey, Mr. Symmes,
Mr. Hornblower.
Pennsylvania, Mr. Pettit,
Mr. Bayard.
Maryland, Mr. M'Henry,
Mr. Hindman.

South-

South-Carolina,	Mr. Ramsay,
	Mr. Kean.
Georgia,	Mr. Houstoun.

WEDNESDAY, November 23, 1785.

Congress assembled—Present from—

Massachusetts,	Mr. Rufus King,
	Mr. Nathan Dane.
Connecticut,	Mr. William S. Johnson.
New-York,	Mr. John Lawrance,
	Mr. Melancton Smith.
New-Jersey,	Mr. John Cleve Symmes,
	Mr. Josiah Hornblower.
Pennsylvania,	Mr. Charles Pettit,
	Mr. John Bayard.
Maryland,	Mr. James M. Henry,
	Mr. William Hindman.
South-Carolina,	Mr. Charles Pinckney,
	Mr. David Ramsay,
	Mr. John Kean.
Georgia,	Mr. William Houstoun,
	Mr. Abraham Baldwin.

The gentlemen present, having delivered in their credentials, the same were read. Mr. King, and Mr. Dane, severally produced credentials of their appointment, and a certificate from the secretary of the state, testifying that the honorable John Hancock, Nathaniel Gorham, Rufus King, Theodore Sedgwick, and Nathan Dane, esquires, were elected, June 16, 1785, by joint ballot of the two branches of the general court, agreeable to the constitution, to serve as delegates for the commonwealth of Massachusetts, in the United States in Congress assembled, for one year, to commence the first Monday in November next. By the credentials produced by Mr. Johnson, it appears, that on the second Thursday of May, 1785, Joseph Plat Cook, esquire, Stephen Mix Mitchel, esquire, Jonathan Sturgis, esquire, William Hilhouse, esquire, John Treadwell, esquire, James Wadsworth, esquire, and William Samuel Johnson, esquire, were elected delegates to represent the state of Connecticut, according to law. By the credentials produced by Mr.

Lawrance.

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Lawrance and Mr. Smith, it appears, that on the 26th day of March, 1785, the honorable Peter W. Yates, John Lawrance, John Haring, Zephaniah Platt, and Melancton Smith, esquires, were elected delegates to represent the state of New-York, for one year, from the first Monday in November next ensuing. By the credentials produced by Mr. Symmes, and Mr. Hornblower, it appears, that on the 28th of October, 1785, the honorable Lambert Cadwallader, John Cleve Symmes, and Josiah Hornblower, were elected delegates to represent the state of New-Jersey, from the first Monday in November next, until the 7th of November, 1786. By the credentials produced by Mr. Pettit, and Mr. Bayard, it appears, that on the 11th of November, 1785, the honorable Charles Pettit, John Bayard, Arthur St. Clair, William Henry, of Lancaster, and James Wilson, esquires, were elected delegates to represent the state of Pennsylvania. The delegates for Maryland, South-Carolina, and Georgia, referred to the credentials which they produced to the last Congress.

Congress proceeded to the election of a president; and the ballots being taken,

The honorable John Hancock, was elected.

The president not being present, Congress proceeded to the choice of a chairman; and the ballots being taken,

The honorable D. Ramsay, was elected.

On motion of Mr. King, seconded by Mr. Kean,

Ordered, That a standing committee on qualifications, consisting of five members, be appointed to examine the credentials produced by members, and report thereon from time to time.

On motion of Mr. Pinckney, seconded by Mr. King,

Resolved, That all matters which were before the last Congress, and left unfinished by them, be taken up in the present; and that all committees having business before them, and who have not reported, be directed to proceed therein, and to report as soon as may be.

T H U R S D A Y, November 24, 1785.

Congress assembled----Present as yesterday.

Congress proceeded to the election of two Chaplains; and, the ballots being taken, The

The reverend Mr. Provost, the reverend doctor Rogers were elected.

F R I D A Y, *November 25, 1785.*

Congress assembled---Present as before.

M O N D A Y, *November 28, 1785.*

Six states only attending; namely, Massachusetts, New-York, New-Jersey, Pennsylvania, South-Carolina and Georgia; and from the state of New-Hampshire Mr. Long, and from Connecticut Mr. Johnson.

Mr. Long delivered in credentials, whereby it appears, that on the 21st of June he was elected one of the delegates to represent the state of New-Hampshire, for one year, from and after the first day of November next ensuing.

T U E S D A Y, *November 29, 1785.*

Five states only attended, namely, New-York, New-Jersey, Pennsylvania, Maryland and Georgia; and from the state of New-Hampshire Mr. Long, from Connecticut Mr. Johnson, and from South-Carolina Mr. Ramfay.

W E D N E S D A Y, *November 30, 1785.*

Congress assembled---Present Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, South Carolina, and Georgia; and from the state of New-Hampshire Mr. Long, and from Connecticut Mr. Johnson.

T H U R S D A Y, *December 1, 1785.*

Congress assembled---Present as yesterday.

F R I D A Y, *December 2, 1785.*

Congress assembled---Present as before.

The secretary of the United States for the department of foreign affairs, to whom was referred his letter of the 24th November,

November, to his excellency the president, with Mr. J. Temple's commission, having reported,

"That John Temple, esquire, has presented to the United States in Congress assembled, a commission in due form, bearing date the 5th day of February last, from his Britannic majesty, constituting and appointing him the consul-general of his said Majesty in these states. That there is as yet no commercial treaty or convention subsisting between his Britannic majesty and the United States, whereby either have a perfect right to establish consuls in the dominions of the other, but that amicable negotiations for that and other reciprocal privileges are now depending: That although the issue of those negotiations is as yet uncertain, it will nevertheless be proper for the United States, on this and every other occasion to observe as great a degree of liberality as may consist with a due regard to their national honor and welfare;" therefore

Resolved, That the said John Temple, esquire, be, and he hereby is received and recognized as consul general of his Britannic majesty throughout the United States, and that his commission be registered in the secretary's office.

Resolved, That all the privileges, pre-eminences and authority, which the laws of nations, and of the land, give to a consul-general received by the United States from any nation with whom they have no commercial treaty or convention, are due to the said John Temple, and shall be enjoyed by him.

Ordered, That certified copies of the above resolutions be transmitted to the executives of the different states for their information.

Pursuant to the resolution of the 29th September last, Congress proceeded to the appointment of three commissioners for running a line of jurisdiction between the states of Massachusetts and New-York, conformable to the laws of the said states; and the ballots being taken,

Mr. Thomas Hutchins, Mr. John Ewing, and Mr. David Rittenhouse were elected and appointed.

M O N D A Y, December 5, 1785.

Met and adjourned; Massachusetts, New-York, New-Jersey, Pennsylvania, and South-Carolina; and from
New-

DECEMBER, 1785.

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New-Hampshire, Mr. Long, and from Georgia, Mr. Houstoun.

TUESDAY, December 6, 1785.

Met and adjourned; New-York, New-Jersey, Pennsylvania and South-Carolina; and from New-Hampshire, Mr. Long, and from Georgia, Mr. Houstoun.

WEDNESDAY, December 7, 1785.

Mr. Samuel Livermore, a delegate for New-Hampshire, attended and produced credentials, whereby it appears that he is appointed one of the representatives of that state in Congress, to hold and exercise the office, or place of delegate, for the term of one year from the first day of November last.

Six states only attending, namely, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, and South-Carolina; and from the state of Georgia, Mr. Houstoun; the chairman adjourned Congress till eleven o'clock to-morrow.

THURSDAY, December 8, 1785.

Met and adjourned, the same as yesterday.

FRIDAY, December 9, 1785.

Met and adjourned, the same as before.

MONDAY, December 12, 1785.

Mr. Sedgwick, a delegate for Massachusetts, and Mr. Cadwallader, a delegate for New-Jersey, attended.

Present—Massachusetts, New-York, New-Jersey, Pennsylvania, and South-Carolina; and from New-Hampshire, Mr. Long, and from Georgia, Mr. Houstoun.

TUESDAY,

T U E S D A Y, *December 13, 1785.*

Met and adjourned, the same as yesterday.

W E D N E S D A Y, *December 14, 1785.*

Met and adjourned, the same as before.

T H U R S D A Y, *December 15, 1785.*

Met and adjourned, the same as before; and from Connecticut, Mr. Johnson.

F R I D A Y, *December 16, 1785.*

Met and adjourned, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, and South-Carolina.

S A T U R D A Y, *December 17, 1785.*

Met and adjourned, New-York and New-Jersey; and from New-Hampshire, Mr. Long, from Connecticut, Mr. Johnson, and from South-Carolina, Mr. Ramsay.

M O N D A Y, *December 19, 1785.*

Six states assembled, namely, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, and South-Carolina; and from the state of Connecticut, Mr. Johnson, and from Georgia, Mr. Houstoun.

T U E S D A Y, *December 20, 1785.*

The same as yesterday; and from Virginia, Mr. Monroe, who produced credentials, by which it appears that on the 15th of November last, he was by joint ballot of both houses of the general assembly, elected a delegate to serve in Congress from the time of his appointment, until the first Monday in November, 1786.

W E D N E S D A Y,

WEDNESDAY, December 21, 1785.

Met the same as yesterday.

THURSDAY, December 22, 1785.

The same as before.

FRIDAY, December 23, 1785.

The same as before.

SATURDAY, December 24, 1785.

Three states assembled, namely, New-Hampshire, New-Jersey and South-Carolina ; and from Massachusetts, Mr. Sedgewick, from Connecticut, Mr. Johnson, from New-York, Mr. Lawrence, and from Pennsylvania, Mr. Bayard.

MONDAY, December 26, 1785.

Five states assembled, namely Massachusetts, New-York, New-Jersey, Pennsylvania, and South-Carolina ; and from the state of New-Hampshire Mr. Long, from Connecticut Mr. Johnson, from Virginia Mr. Monroe, and from Georgia Mr. Houstoun.

TUESDAY, December 27, 1785.

Mr. Mitchel, a delegate for Connecticut, attended.

Congress assembled---Present New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, and South-Carolina ; and from the state of Virginia Mr. Monroe, and from Georgia Mr. Houstoun.

WEDNESDAY, December 28, 1785.

Congress assembled--Present as yesterday.

On the report of a committee, consisting of Mr. King, Mr. Howell, and Mr. Hindman, to whom was referred a motion of Mr. Howell :

Resolved,

Resolved, That the board of treasury be, and hereby are declared to be vested with full authority to superintend and examine the conduct of all officers employed in the department of the treasury, and of the several commissioners appointed, or that hereafter may be appointed for the settlement of the public accounts, as well those of the five great departments, as those authorized to adjust the accounts between the United States and individual states, And in case any of the said officers, or commissioners, shall unnecessarily absent themselves from their respective offices, or shall engage in any business inconsistent with, or that may hinder a constant discharge of the duties of their several appointments, it shall be the duty of the board of treasury to make immediate report thereof to Congress, that such measures may be adopted thereon, as justice and the public interest may require.

T H U R S D A Y, *December 29, 1785.*

Congress assembled--Present as before.

F R I D A Y, *December 30, 1785.*

Congress assembled--Present as before.

M O N D A Y, *January 2, 1786.*

Congress assembled--Present as before.

On motion of Mr. Pettit, seconded by Mr. King,

Resolved, That a sea-letter be granted to the ship Canton, Thomas Truxton, master, in the form following:

Most serene, serene, most puissant, puissant, high, illustrious, noble, honorable, venerable, wise and prudent emperors, kings, republics, princes, dukes, earls, barons, lords, burgomasters, counsellors, as also judges, officers, justiciaries, and regents, of all the good cities and places, whether ecclesiastical or secular, who shall see these presents or hear them read:—

We the United States in Congress assembled, make known, that Thomas Truxton, Captain of the ship called the Canton, is a citizen of the United States of America, and ..

and that the ship which he commands belongs to citizens of the said United States, and as we wish to see the said Thomas Truxton prosper in his lawful affairs, our prayer is to all the before mentioned, and to each of them separately, where the said Thomas Truxton shall arrive with his vessel and cargo, that they may please to receive him with goodness and treat him in a becoming manner, permitting him upon the usual tolls and expences in passing and repassing, to pass, navigate and frequent the ports, passes and territories, to the end to transact his business where and in what manner he shall judge proper, whereof we shall be willingly indebted. In testimony whereof we have caused the seal of the United States of America to be hereunto affixed.

Witness.

DAVID RAMSAY,

Chairman of Congress, in the absence of his Excellency JOHN HANCOCK, President, this second day of January, in the year of our Lord one thousand seven hundred and eighty-six, and of our sovereignty and independence the tenth.

TUESDAY, *January 3, 1786.*

Congress assembled--Present as before.

THURSDAY, *January 5, 1786.*

Congress assembled--Present as before.

FRIDAY, *January 6, 1786.*

Congress assembled--Present as before.

On a report from the secretary to the United States of America for the department of foreign affairs, to whom was referred a letter of the 29th of last month, from the encargado de negocios of Spain, enclosing a decree of the 28th of May, 1785, which directed what flags should in future be used by the navy and merchant ships of that kingdom:

Ordered, That the decree be published; and that the secretary

cretary for foreign affairs have thirteen copies prepared with a design of the flags annexed, and transmit one to the executive of each of the states.

On a report of the secretary to the United States of America for the department of foreign affairs, to whom was referred his letter of the 29th of December, inclosing a letter of the 19th of that month from the charge des affaires of France, with a brevet of the 22d day of June, 1785, appointing the sieur de la Forest, vice consul of France, for the United States.

Whereas the sieur de la Forest, has presented to Congress, a brevet from his most christian majesty, bearing date 22d day of June, 1785, appointing him vice consul general in the United States :

Resolved, That the sieur de la Forest be, and he hereby is received and recognized as the vice consul general of his most christian majesty, in the United States ; and that the said brevet be registered in the secretary's office.

Resolved, That all the privileges, pre-eminences and authority belonging to the said character and quality, are due to the said sieur de la Forest, and shall be enjoyed by him.

Ordered, That a certified copy of the above resolutions be transmitted by the secretary to the United States of America, for the department of foreign affairs, to the sieur de la Forest, and also to the executive of each of the states for their information.

M O N D A Y, *January 9, 1786.*

Congress assembled--Present as before.

TUESDAY, WEDNESDAY and THURSDAY.

Congress assembled--Present as before.

T U E S D A Y, *January 17, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania and South-Carolina ; and from the state of Maryland

land Mr. Hindman, from Virginia Mr. Monroe, and from Georgia Mr. Houstoun.

Mr. Hindman produced credentials, dated the 6th November, 1785; by which it appears, that the honorable John Henry, William Hindman, William Harrifon, Richard Ridgely and Nathaniel Ramsay, were empowered and authorised to represent the state of Maryland in the United States in Congress assembled, for one whole year, from the second Monday in December, 1785.

Mr. Nathaniel Gorham, a delegate for the commonwealth of Massachusetts, and

Mr. Peter W. Yates, a delegate for the state of New-York, attended and took their seats in Congress.

W E D N E S D A Y, *January 18, 1786.*

Congress assembled--Present as yesterday.

T H U R S D A Y, *January 19, 1786.*

Congress assembled--Present as before.

M O N D A Y, *January 23, 1786.*

Congress assembled--Present as before.

T U E S D A Y, *January 24, 1786.*

Congress assembled--Present as before.

W E D N E S D A Y, *January 25, 1786.*

Congress assembled--Present as before.

T H U R S D A Y, *January 26, 1786.*

Congress assembled--Present as before.

The committee, consisting of Mr. Smith, Mr. Pinckney, and Mr. Long, to whom was referred a petition of I. Sears, and P. N. Smith, praying for sea-letters for the ship Hope, James Magee, master, report; that the ship
Hope

Hope and her cargo, are the property of citizens of the United States ; that the said ship is principally navigated by inhabitants of the United States, and is bound on a voyage to Canton in China ; whereupon,

Resolved, That a sea-letter be granted for the ship Hope, James Magee, master, in the form of that granted for the ship Canton, *mutatis mutandis*.

On the question to agree to this resolution, the yeas and nays being required by Mr. Smith.

New-Hampshire,	Mr. Long	ay	} ay
	Mr. Livermore	ay	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Dane	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Mitchell	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	no	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Hindman	ay	} *
Virginia,	Mr. Monroe	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Ramsay	ay	
	Mr. Kean	ay	
Georgia,	Mr. Houston	ay	} *

So it was resolved in the affirmative.

On motion of Mr. Pinckney, seconded by Mr. Smith :

Resolved, That a consul be appointed to reside at Canton, who shall not be entitled to receive any salary, fees or emoluments of office ; and that to-morrow be assigned for the election of the said consul.

F R I D A Y, January 27, 1786.

Congress assembled--Present as before.

According to order, Congress proceeded to the election of a consul, to reside at Canton, and the ballots being taken,

Mr. Samuel Shaw was elected ; having been previously nominated by Mr. Pinckney. *Ordered,*

Ordered, That the secretary for foreign affairs prepare a commission for Mr. Shaw, as consul of the United States of America, at Canton; that the same, when prepared, be signed by the chairman, and that the great seal of the United States be thereto affixed.

M O N D A Y, *January 30, 1786.*

Congress assembled--Present as before.

On motion of Mr. Pinckney, seconded by Mr. Gorham:

Ordered, That the chairman write to the executives of the states of Rhode-Island, Delaware, Maryland, Virginia, North-Carolina and Georgia, stating to them the inconveniences arising from a want of a sufficient number of states to proceed on the business of the union, and earnestly pressing them to send on their delegates immediately.

T U E S D A Y, *January 31, 1786.*

Congress assembled--Present as before.

On the report of a committee, consisting of Mr. Gorham, Mr. Pettit and Mr. Bayard, to whom was referred a petition of Hend. Wyckoff, praying that sea-letters be granted for a vessel, which he and other citizens of the state of New-York, have fitted out for a distant voyage.

Resolved, That a sea-letter be granted for the brigantine Betsey, Neal M'Henry, master, in the same form as the letter granted on the 2d instant for the ship Canton, *mutatis mutandis*.

On motion of Mr. Pinckney, seconded by Mr. Hindman:

Resolved, That a vice-consul be appointed to reside at Canton; and in case of the death or absence of the consul appointed to that place, that he exercise all the powers and duties of consul, but without being entitled to any salary, fees or emoluments.

Congress proceeded to the election of a vice-consul, and the ballots being taken,

Mr. Thomas Randal, of Pennsylvania, was elected, having been previously nominated by Mr. Pinckney:

Ordered,

Ordered, That the secretary for foreign affairs prepare a commission for Mr. Randal; that the same, when prepared, be signed by the chairman; and that the great seal of the United States be thereto affixed.

W E D N E S D A Y, February 1, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Maryland, Mr. Hindman, and from Georgia, Mr. Houstoun.

Mr. Henry Lee, a delegate from Virginia, attended and produced his credentials, by which it appears, that on the 15th of November, 1785, he was by joint ballot of both houses, elected a delegate to serve in Congress from the time of his appointment until the first Monday in November, 1786.

On a report of the board of treasury, to whom was referred a motion of Mr. Gerry :

Resolved, That all holders of loan-office certificates, issued since the first of March, 1778, be, and they are hereby authorized to present the same to the loan-officer of the state in which such certificates issued, in order that the specie value thereof may be liquidated; and that on the former certificates being given up, specie certificates to the same value shall be issued, agreeably to such form, and in such sums as the board of treasury may direct, provided that no certificate issue for a less sum than one hundred dollars; and that the paper, checks and devices of the new certificates resemble as nearly as may be the old certificates, which shall be transmitted as vouchers of re-issue to the comptroller's office.

On a report of the board of treasury, to whom was referred a petition of Edward Keran, claiming depreciation on monies received by him in the ordnance department :

Resolved, That the claim of Edward Keran, for depreciation of pay during his service in the ordnance department, is inadmissible.

On a report of the board of treasury, to whom was referred a memorial of William Hoskins: *Resolved*,

Resolved, That the memorial of William Hoskins, late an assistant in the commissary-general's department, praying that the former adjustment of his account by the commissioner duly authorised for such purpose, may be revised, and that a farther compensation be made him, cannot be complied with.

T H U R S D A Y, February 2, 1786.

Congress assembled--Present as yesterday.

On a report of the secretary at war, to whom was referred a memorial of William Finnie :

Resolved, That the petition of William Finnie, Esq; late a deputy quarter-master-general in the southern department, for the emoluments of a colonel; being contrary to the regulations established respecting the subordinate officers in the quartermaster general's department, cannot be granted.

On a report of the secretary at war, to whom was referred a memorial of captain Jonathan Lawrance, jun.

Resolved, That captain Jonathan Lawrance, jun. having resigned his commission in the service of the United States before the conclusion of the late war, he cannot be allowed those emoluments promised to the officers who should continue in service to the end of the war,

On a report of the secretary at war:

Resolved, That the petitions of Hubert Dubois, Martin Lintz and John Bruger, be dismissed, they having no just claims upon the United States.

On a report of the board of treasury, to whom was referred a letter of Michael Hillegas, treasurer of the United States, dated 12th August, 1785 :

Resolved, That the resolution of Congress of the 18th September, 1782, relative to the mode of destroying the old continental currency in the treasuries of the respective states be, and it is hereby repealed.

On a report of the board of treasury, to whom was referred the report of William Barber, commissioner of accounts for the state of New-York, on the claim of Francis Cazeau, of the Province of Canada :

Resolved,

Resolved, That the several resolves of the 18th of March, 1784, relative to the claims of Francis Cazeau, (excepting the first, third and fourth) and the resolve of the 7th of June, 1785, authorising the commissioner of public accounts in the state of New-York, to examine and report upon Canadian claims, be and they are hereby repealed.

F R I D A Y, *February 3, 1786.*

Congress assembled--Present as before.

On a report of the commissioner for settling the army accounts, to whom was referred a petition of John Buchanan, late of the quarter-master's department, and employed in military service by the commander in chief, with the pay and subsistence of a captain :

Resolved, That John Buchanan, late of the quarter-master's department, and who is disabled by a wound he received in a gallant action, wherein he, with eighteen boatmen, killed and took prisoners a party of twenty-five British new levies, be comprehended within the benefits of the ordinance of Congress of June 7, 1785, providing for those that have been disabled in the service, in the same manner as if he had been a captain in the army.

On a report of the pay-master general, to whom was referred a petition of Pierre Regnier de Roufi, late a lieutenant-colonel in the fourth and second New-York regiments, praying an allowance for the depreciation of his pay :

Resolved, That Mr. Regnier de Roufi, having resigned his commission prior to any promise of depreciation, cannot, agreeably to the principles adopted by Congress in such cases, be entitled to this allowance.

On a report of the commissioner for army accounts, to whom was referred a petition of James Gilliland, late a captain in the corps of fappers and miners :

Resolved, That as it appears that James Gilliland, late a captain in the corps of fappers and miners, resigned his commission before the conclusion of the war, he cannot be entitled to the benefit of the grants of land and half-pay to the officers of the army.

The

The commissioner for settling the accounts of the army, to whom was referred a petition of Bryan Bruin; reports, That the resolution of Congress of the 21st February, 1783, " recommending to the several states, to whom the officers taken from the line to act in the general staff departments belong, to adjust and discharge, on account of the United States, the depreciation on their extra pay, in the same manner, and to the same time, they settle their accounts as officers in the line," is a sufficient authority to the state of Virginia for granting the depreciation on the extra pay of the staff officers taken from the line of that state, and therefore no particular resolution is necessary in the case of Bryan Bruin.

Resolved, That Congress agree to this report.

The committee, consisting of Mr. Monroe, Mr. Johnson, Mr. Gorham, Mr. Symmes, and Mr. Livermore, appointed to consider whether any and what measures may be necessary for Congress to adopt, in pursuance of their recommendations to the several states, on the 18th of April, 1783, having reported as follows:

The committee have thought it their duty, upon the subject above referred to them, to present to the view of Congress, a statement of the amount, and the purposes for which money is required, with the funds the United States are possessed of, for complying with the same, this will enable them to judge of the nature and urgency of those demands, of the efficiency of such funds, or of the further measures it may be necessary to take respecting them.

By the estimate for the late requisition, it appears, that

	Dollars.
For the service of the United States for } one year, there will be wanting, - }	404,555. 32
For one year's interest upon the foreign } debt, - - - - - }	440,252. 58
For one year's interest upon the domestic } debt, - - - - - }	1,663,519. 16
	<hr/>
	2,508,327. 6

It appears further to the committee, that there will be due in the course of the next year, a part of the principal of two of the foreign loans, and afterwards a part of the
other

other loans, agreeably to the stipulations of the several contracts, to be paid annually by instalment, until the whole is extinguished, which will, until that event, proportionally increase the sums called for. That the whole of the domestic debt is not yet liquidated, and that there still remains extensive claims of states and individuals within the same, against the United States to be adjusted and settled, which will probably encrease the amount beyond what it hath heretofore been estimated at. Nor is there any reason to suppose, from the lights in their possession, that the expences of the government of the United States will be diminished. Some offices have already been abolished, and the salaries of those absolutely necessary, reduced to as low a scale as can be done, to leave any encouragement to men of talents and character to remain in their service; others, it is true, instituted for the settlement of accounts, will terminate so soon as that desirable end is effected, but this will create but an inconsiderable saving. The Indian department when organized, may also be less expensive than it hath been since the peace, but there must be some appropriation to it. What sum the military department may require, is altogether uncertain, and depends upon many circumstances. Since the peace, it has been thought proper to keep in service about seven hundred men. Upon that compliment the estimate for the requisition was formed; but it is to be recollected that the Indians were at that time suing for peace; that the powers on the coast of Barbary were friendly disposed; and that we had nothing to apprehend from any quarter whatever: and although the necessary measures having been taken to cultivate this good disposition, and to avail ourselves of the favorable juncture; and the committee have a high confidence in the success of these negociations, yet they consider it as expedient to be prepared for a contrary event: As, therefore, under this impression, it may be found prudent to establish magazines in different quarters of the union, and to keep up at least the aforesaid compliment of men, they apprehend the expences in this department will be encreased. As therefore, the sums necessary for payment of the interest, and a part of the principal of the foreign loans, will be encreased, those for the payment of the interest on the domestic debt, probably

bably may, and there can be little or no reduction in the expences of the government of the United States, it follows that the demands upon the states, or supplies for federal purposes, must for some time be greater than they have heretofore been.

It remains now to be enquired, how these demands shall be complied with. The federal constitution authorises the United States to obtain money by three means; first, by requisition; second, by loan; and thirdly, by emitting bills of credit. First, of the success of that by requisition, we shall be enabled to form a judgment by a statement of those which have been made, and the compliances of the several statements under them.

October 30, 1781, a requisition was	Dollars.
made for - - - -	8,000,000
October, 1782, for - - -	2,000,000
April 18, 1784, for - - -	2,670,987
September, 1785, for - - -	3,000,000

Up to the first day of February, 1786, the payments have been as follows :

	facilities	
New-Hampshire,	- - - -	7,679. 8
Massachusetts,	28,864. 12	342,677. 83
Rhode-Island,	- - - -	75,609. 43
Connecticut,	- - - -	140,772. 15
New-York,	- - - -	163,810. 51
New-Jersey,	- - - -	135,738. 52
Pennsylvania,	- - - -	496,173. 11
Delaware,	8,368. 7	11,820. 82
Maryland,	- - - -	167,286. 26
Virginia,	29,910	533,096. 38
North-Carolina,	- - - -	- - - -
South-Carolina,	- - - -	374,339. 53
Georgia,	- - - -	- - - -

It is to be observed, that the two former requisitions were made during the existence and for support of the war; and therefore were not, after its termination pressed in full on the states; the two latter, however, being a pressure of the former, in the degree, were made upon the estimate

estimate of the expences of the government and of the public debt, which must remain the same, or nearly so, subject only to the above incidental alterations, until the debt is paid. So disproportionate, then, have the payments been, and inadequate to the above purposes, that even the interest upon the foreign loans, which had become due, would not have been paid, had it not been that a part of the said loans were as yet unappropriated; this money was therefore applied to this purpose; but this resource is now exhausted.

2d. Shall we then make further loans? In objection to this, it will obviously occur, that unless we can pay the interest due upon the money we have already borrowed, we shall not be able to borrow more, or upon such disadvantageous terms as to make it highly inexpedient: Add to this, that having in a great measure recovered from the calamities of the late war, being in possession of a free and extensive commerce, at peace with all nations, and the economy of our own government, thus circumstanced, only to attend to, it would add but little to its credit, to admit that it could not discharge those engagements without the aid of other nations.

In objection to the third plan, or emission of paper bills of credit, it may only be observed, that such bills would not even serve to pay off the domestic debt, since bearing no interest, they would in effect put the creditors in a worse condition than they are now in; much less would they avail to support the current expences of the government of the United States, or discharge the interest due on the foreign debt. The United States, are, however, in possession of another fund, arising from the cession of vacant and unappropriated lands by individual states; but this, it is apprehended, as public securities are received in payment, will bring but little specie into the treasury. Being depreciated considerably below, and received at par with specie, it is to be presumed, the purchasers, whether citizens or foreigners, not possessed of, will procure these securities for the purpose. These lands, therefore, may be calculated on, and in the degree, as a fund only for the discharge of the domestic debt; and as they are not to be disposed of until surveyed, and some time must elapse
before

before this can be effected, it is obvious that no immediate aid, even for this purpose, can be derived from that source.

Since, therefore, experience hath evinced, that requisitions have failed to obtain from the states, money sufficient for the support of their own government only, that it would be impolitic, if not impossible, to borrow more; that the emission of paper bills of credit would be altogether ineffectual, and of course inadmissible; and that the vacant and unappropriated lands, ceded by individual states, can be calculated on only as a fund for the discharge, and in the degree, of the interest and principal of the domestic debt, it necessarily follows, that unless some other more efficient and productive fund can be found out, we shall suffer the highest national difficulties. Although we have already experienced, and may calculate much, on the generosity of our ally; although our domestic creditors, and especially those of the army, have evinced a patience and magnanimity under their sufferings, which does them the highest credit; yet it is neither consistent with the honor nor the interest of the United States, that justice should be longer delayed, especially while a single effort in their power remains unattempted. After the maturest deliberation, the committee have been able to devise no other than that recommended on the 18th of April, 1783: to this, therefore, they are of opinion, the United States should turn their attention, as the means of relieving them from their present embarrassments. The system, as therein recommended, consists of two parts; the *first*, an investment of the United States in Congress, with power to levy for the use of the United States, certain duties upon goods imported into the said states from any foreign port, island or plantation: the *second*, such other substantial and effectual revenues as they may judge most convenient for supplying their respective proportions of one million five hundred thousand dollars annually, exclusive of the aforementioned duties, as therein more fully delineated.

In examining the conduct of the several states under this recommendation, they find that, except New-York and Georgia, they have all complied, in some degree, with the first part, and that only

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latter. That the relief, therefore, may be as expeditious as possible, and particularly that the United States may be enabled to comply with their foreign engagements, while the aforesaid recommendations shall remain in full force as to the whole, in confidence they will ultimately be complied with, the committee beg leave to report the following resolution:—

Resolved, That it be earnestly recommended to the states of New-York and Georgia, to take into their immediate consideration, the said recommendation of the 18th of April, 1783, more especially that part which proposes an investment of the United States with power to levy, for the use of the said states, certain duties upon goods imported into the said states from any foreign port, island or plantation, and to comply with the same.

A motion was made by Mr. Houstoun, seconded by Mr. Smith, to postpone the consideration of the above report until the first day of March next; and on the question for postponing, the yeas and nays, being required by Mr. Houstoun.

New-Hampshire,	Mr. Long	no	} no
	Mr. Livermore	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Dane	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Mitchell	no	
New-York,	Mr. Lawrance	no	} divided
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	no	} no
	Mr. Symmes	no	
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Hindman	no) *
Virginia,	Mr. Monroe	no	} no
	Mr. Lee	no	
South-Carolina,	Mr. Pinckney	no	} no
	Mr. Ramsay	no	
	Mr. Kean	no	
Georgia,	Mr. Houstoun	ay) *

So it passed in the negative.

MONDAY,

M O N D A Y, *February 6, 1786.*

Congress assembled--Present as before.

T U E S D A Y, *February 7, 1786.*

Congress assembled--Present as before.

The report of the committee, appointed to consider whether any and what measures may be necessary for Congress to adopt in pursuance of their recommendations to the several states on the 18th April, 1783, being postponed;

And a motion of Mr. Pinckney, seconded by Mr. Symmes, being before Congress, in the words following:

Whereas, exclusive of the maintenance of the civil list, and the other services of the federal government it appears, from the documents before Congress, at their late requisition of September, 1785, that the payment of the annual interest of the foreign and domestic debt, will require the sum of dollars: And whereas it appears, from the requisitions of Congress, since December, 1781, that although the states have been called upon to furnish upwards of seven millions of dollars for these purposes, that not above have been paid into the federal treasury, from which failure in the states, the most serious consequences must ensue in lessening the credit, and injuring the national reputation of the union.

To prevent the evils arising solely from the want of sufficient and permanent funds to defray the expences of government, and to do justice to its creditors, and to press the indispensable necessity of providing such firm and efficient funds as will enable the United States fully and effectually to comply with all their public engagements, they conceive it their duty again earnestly to call upon the states of New-York and Georgia, to take into their immediate consideration the recommendation of the 18th of April, 1783, more especially that part which proposes an investment of the United States, with power to levy for the use of the said states, certain duties upon goods imported

ed into the said states, from any foreign port, island or plantation, and to comply with the same.

In once more bringing this recommendation to their view, it may be necessary to state that there will be due in the course of the next year, a part of the principal of two of the foreign loans, and afterwards a part of the other loans, agreeable to the stipulations of the same, to be paid annually by instalments, until the whole is extinguished, which must, until that event, proportionally encrease the sums called for : That the whole of the domestic debt is not yet liquidated ; and that its amount will probably be enlarged beyond its former estimate : That the civil and military government of the United States is reduced as low as its situation will admit : That the treaties necessary for the protection of our commerce from the piratical states of Barbary, the safety of our frontier inhabitants from the savages, and the establishment of magazines in different parts of the union, may perhaps encrease the estimate of the military department ; and that the supplies for federal purposes must for some time be greater than they have hitherto been : That the means afforded by the confederation for obtaining money, have been found ineffectual, the experience of the four last years sufficiently proves ; in which not more than one third of the sum called for has been paid into the common treasury, nor is a more punctual compliance to be expected from the states, until some practicable federal rule is established for ascertaining the quota of each, and the commerce of the union relieved from its present oppression and embarrassment.

That, to borrow more money would be impolitic, as well as dishonourable, until we were in a capacity to pay the interest due on what had been already loaned us under circumstances the most generous and disinterested : That to emit bills of credit, and procure them a circulation, without establishing permanent and substantial funds for their redemption, is not even to be hoped, when we recollect how much our citizens have suffered from their confidence in the former emissions : That the vacant territory of the United States, obtained by cessions from individual states, has been ordered to be surveyed, and will be disposed of for public securities ; that this, however, will produce
little

little, if any, specie, and can only be received as far as it will go as a fund for extinguishing the domestic debt; but, that as a considerable time must intervene before it can be surveyed and disposed of, no immediate aid is to be drawn from this source: And that, since, therefore, a sufficient sum for the exigencies of government, and the payment of the interest due on the public debt, is not to be expected from any of the means authorized by the confederation, either of requisition, loan or emission, it follows, that unless some more efficient and productive fund can be discovered, we shall soon be exposed to the greatest national difficulties and disgrace.

While, however, it is in the power of the states to prevent these inconveniencies, and to do justice to their creditors, it is the duty of Congress to urge them to it. They now again present to the view of the states of New-York and Georgia, the system which has been so long under reference to their legislatures, as the only one calculated to assert the credit and relieve the distresses of the union.

In examining the conduct of the several states, they find that all, except New-York and Georgia, have in some degree complied with the first part of the recommendation for investing the United States with the power of levying certain duties for their use on goods imported into the said states from any foreign port, island or plantation. The assent of so large a majority of the states, including some of the most important in commercial and other resources, shews that they were impressed with the necessity and propriety of its motives. They have considered the extension of their commerce, and the security of their liberties, as owing to the joint efforts of the whole. Convinced of the importance of the federal government, and that on its existence their political welfare and consequence must depend, they have liberally dedicated to its support a part of the advantages derived from its establishment; nor have they considered this as more than justice to the citizens of those states whose situation renders them dependent upon their imports for supplies. They have therefore wisely determined to make the welfare of the union their first object, reflecting, that in all federal regulations, something must be yielded to aid the whole, and that those who may
expect

expect support, must in their turn be ready to afford it. How far their example may induce the legislatures of New-York and Georgia to adopt the same liberal conduct, is now left to themselves to decide. Congress, however, still hope that these states will not be less mindful of the public welfare, nor less disposed to give vigor and efficacy to a government upon which all must eventually depend for the protection and security of the invaluable blessings they enjoy.

A motion was made by Mr. Pettit, seconded by Mr. Pinckney, to fill the first blank with the words and figures, 'upwards of 2,400,000.' And on the question to agree to this, the yeas and nays being required by Mr. Smith,

New-Hampshire,	Mr. Long	ay	} divided
	Mr. Livermore	no	
Massachusetts,	Mr. Gorham	ay	} divided
	Mr. Dane	no	
Connecticut,	Mr. Johnson	ay	} divided
	Mr. Mitchel	no	
New-York,	Mr. Lawrance	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit,	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Hindman	ay	} *
Virginia,	Mr. Monroe	no	
	Mr. Lee	no	} no
South-Carolina,	Mr. Pinckney	ay	
	Mr. Ramsay	ay	} ay
	Mr. Kean	ay	

So the question was lost.

On motion, the blank was filled with 2,103,772; and the motion was amended, by inserting after the words "domestic debt," the following words, "as far as the latter was then liquidated."

WEDNESDAY,

F E B R U A R Y, 1786.

33

W E D N E S D A Y, *February 8, 1786.*

Congress assembled--Present as before.

Congress resumed the consideration of the motion of Mr. Pinckney, with which was under debate yesterday; during the debate, a report was made by the board of treasury, which being read:

Ordered, That the said report, together with the motion under debate, and the report which was postponed, be referred to a committee of five.

T H U R S D A Y, *February 9, 1786.*

Congress assembled--Present as before.

On the report of a committee consisting of Mr. Pinckney, Mr. King, Mr. Johnson, Mr. Grayson and Mr. Hindman, to whom was referred a letter from Cyrus Griffin, esquire:

Resolved, That Congress are fully impressed with a sense of the ability, fidelity and attention of the judges of the court of appeals, in the discharge of the duties of their office; but that as the war was at an end, and the business of that court in a great measure done away, an attention to the interests of their constituents made it necessary that the salaries of the said judges should cease.

F R I D A Y, *February 10, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Maryland Mr. Hindman.

M O N D A Y, *February 13, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Maryland Mr. Hindman.

Mr. Grayson, a delegate for Virginia, attended and produced credentials of his appointment.

T U E S D A Y,

TUESDAY, *February 14, 1786.*

Congress assembled--Present as yesterday.

WEDNESDAY, *February 15, 1786.*

Congress assembled--Present as before.

The committee, consisting of Mr. King, Mr. Pinckney, Mr. Kean, Mr. Monroe, and Mr. Pettit, to whom were referred several reports and documents concerning the system of general revenue, recommended by Congress on the 18th of April, 1783; report,

That in pursuance of the above reference, they have carefully examined the acts of the several states, relative to the general system of revenue recommended by Congress on the 18th of April, 1783, and find that the states of Delaware and North-Carolina have passed acts in full conformity with the several parts thereof; the former of which states has inserted a proviso in their act, restraining the operation thereof until each of the other states shall have made a like and equally extensive grant; that the states of New-Hampshire, Massachusetts, Connecticut, New-Jersey, Virginia and South-Carolina, have each passed acts complying with that part of the system which recommends a general impost, but have come to no decision on the other part, which proposes the establishment of funds, supplementary to, and in aid of the general impost; that the state of Pennsylvania has passed an act complying with the recommendation of the general impost, and in the same act has declared, that their proportion or quota of the supplementary funds, shall be raised and levied on the persons and estates of the inhabitants of that state, in such manner as the legislature thereof shall from time to time direct, with this proviso, that if any of the annual proportion of the supplementary funds shall be otherwise raised and paid to the United states, then such annual levy or tax shall be discontinued: The committee conceive that this clause is rather an engagement that Pennsylvania will provide adequate supplementary funds, than an actual establishment thereof; nevertheless, the act contains a proviso restraining
its

its operation until each of the other states shall have passed laws in full conformity with the whole of the revenue system aforesaid: The committee farther find, that the state of Rhode-Island has passed an act on this subject, but so different from the plan recommended, and so wholly insufficient, that it cannot be considered as a compliance with any part of the system submitted for their adoption; that the state of Maryland passed an act in 1782, and a supplement thereto in 1784, complying with the recommendation of Congress of the 3d of February, 1781, which recommendation is not compatible with, and was relinquished by the resolves of Congress of the 18th of April, 1783; but that neither the state of Maryland, New-York, nor Georgia, has passed any act in pursuance of the system of the 18th of April, 1783.

From this statement it appears that seven states, viz. New-Hampshire, Massachusetts, Connecticut, New-Jersey, Virginia, North-Carolina and South Carolina, have granted the impost in such manner, that if the other six states had made similar grants, the plan of the general impost might immediately begin to operate; that two other states viz. Pennsylvania and Delaware, have also granted the impost, but have connected their grants with provisos, which will suspend their operation until all the other states shall have passed laws in full conformity with the whole of the revenue system aforesaid; that two only of these nine states viz. Delaware and North-Carolina, have fully acceded to that system in all its parts; and that the four other states, viz. Rhode-Island, New-York, Maryland and Georgia have not decided in favor of any part of the system of revenue aforesaid, so long since, and so repeatedly presented by Congress for their adoption.

The committee have thought it their duty candidly to examine the principles of this system, and to discover if possible the reasons which have prevented its adoption; they cannot learn that any member of the confederacy has stated or brought forward any objections against it, and the result of their impartial enquiries into the nature and operation of the plan, has been a clear and decided opinion, that the system itself is more free from well founded exceptions, and is better calculated to receive the appro-
bation

bation of the several states than any other that the wisdom of Congress can devise.

In the course of this enquiry, it most clearly appeared, that the requisitions of Congress for eight years past have been so irregular in their operation, so uncertain in their collection, and so evidently unproductive, that a reliance on them in future, as a source from whence monies are to be drawn to discharge the engagements of the confederacy, definite as they are in time and amount, would be not less dishonourable to the understandings of those who entertain such confidence, than it would be dangerous to the welfare and peace of the union: The committee are therefore seriously impressed with the indispensable obligation that Congress are under of representing to the immediate and impartial consideration of the several states, the utter impossibility of maintaining and preserving the faith of the federal government, by temporary requisitions on the states, and the consequent necessity of an early and complete accession of all the states to the revenue system of the 18th of April, 1783.

Although in a business of this magnitude and importance to the respective states, it was natural to expect a due degree of caution, and a thorough investigation of the system recommended, yet the committee cannot forbear to remark, that this plan has been under reference for nearly three years; that, during that period, numerous changes have taken place in the delegations of every state, but that this system has received the repeated approbation of each successive Congress, and that the urgency of the public engagements at this time, renders it the unquestionable duty of the several states to adopt, without further delay, those measures which alone, in the judgment of the committee, can preserve the sacred faith of this confederacy.

The following state of facts must convince the states of the propriety of urging this system with unusual anxiety at this period.

That the sum necessary to discharge the in-	Dol.
terest on loans of the king of France, to	
the 1st January, 1787, is	240,740. 60

For

For interest on certificates to foreign officers, made payable in France, to the 1st of Jan. 1787.	-	-	-	-	Dol.	22,370
For interest on the Spanish loan, to the 21st March 1787,	-	-	-	-		48,596.55
For interest on the Dutch loans, to the 1st June, 1787,	-	-	-	-		265,600
						<hr/> 577,307.25

That although some of the objects of disbursement are in the year 1787, the periods at which they become due, will shew the absolute necessity of an immediate provision for them.

That notwithstanding some of the above sums do not fall due until 1787, yet, exclusive of the same, there will be due on the French and Dutch loans, in that year, 1,252,938 dollars and 57-90ths, and during the nine succeeding years, that is until the year 1797, including the payment of the interest and the partial reimbursements of the capitals of the French and Dutch loans, the average sum of near one million of dollars annually; for the certain obtaining of which, at fixed periods, effectual measures can no longer be delayed. More fully to illustrate this subject, the committee annex a schedule of the French and Dutch loans, shewing the periods of their redemption, with the annual interest payable thereon, until their final extinction; in addition to the above foreign demands, the interest on the Spanish loan, and on the debts due to foreign officers, must be provided for and annually paid: The amount of these annual demands will be greatly increased by adding the annual interest on the domestic debt, the whole of which is not yet liquidated, and the aggregate whereof, will consequently be enlarged beyond its last estimate.

The committee contemplate, with great satisfaction, the prospect of extinguishing a part of the domestic debt, by the sales of the western territory of the United States; but a considerable time must elapse before that country can be surveyed and disposed of; and the domestic creditors, until that event, must depend for support on the justice of their country:—The revenue system, if adopted, would afford
this

this support, and enable Congress to fulfil the public engagements with their foreign creditors. The whole product of this system is appropriated for the payment of the principal and interest of the national debt, and no part thereof can be diverted to other purposes.

That it has been the earnest wish of Congress to prevent the vast accumulation of foreign interest that now exists, appears from their estimates and requisitions of the 27th April, 1784, and the 27th September 1785; and the following abstract taken from the books of the treasury, of the amount of monies brought into the federal treasury in the course of the four last years, viz. between the 1st November, 1781, and the 1st January, 1786, will shew the little success of requisitions, and demonstrate the inadequacy of their products to maintain the federal government, and at the same time to discharge the annual public engagements.

The receipts of taxes from the 1st No-	Dol.
vember 1781, to 1st November,	
1784, amount to - - -	2,025,089. 34
From the 1st November, 1784, to the 1st	
January, 1786, - - - -	432,897. 81
	<hr/>
Total,	2457,987. 25

Thus it is evident that the sum of 2,457,987 dollars and 25-90ths only, was received in a space of more than four years, when the requisitions, in the most forcible manner, pressed on the states the payment of much larger sums, and for purposes of the highest national importance. It should be here observed, that the receipts of the last fourteen months of the above period, amount only to 432,897 dollars and 81-90ths, which is at the rate of 371,052 dollars per annum, a sum short of what is essentially necessary for the bare maintenance of the federal government on the most economical establishment; and in time of profound peace.

The committee observe with great concern, that the security of the navigation and commerce of the citizens of these states from the Barbary powers, the protection of the frontier inhabitants from the savages, the immediate establishment of military magazines in different parts of the

the union, rendered indispensable by the principles of public safety, the maintenance of the federal government at home, and the support of the public servants abroad, each and all, depend upon the contributions of the states under the annual requisitions of Congress. The monies essentially necessary for these important objects, will so far exceed the sums formerly collected from the states by taxes, that no hope can be indulged of being able, from that source, to make any remittances for the discharge of foreign engagements.

Thus circumstanced, after the most solemn deliberation, and under the fullest conviction that the public embarrassments are such as above represented, and that they are daily encreasing, the committee are of opinion, that it has become the duty of Congress to declare most explicitly, that the crisis has arrived, when the people of these United States, by whose will, and for whose benefit the federal government was instituted, must decide whether they will support their rank as a nation, by maintaining the public faith at home and abroad; or whether, for want of a timely exertion in establishing a general revenue, and thereby giving strength to the confederacy, they will hazard not only the existence of the union, but of those great and invaluable privileges for which they have so arduously and so honorably contended.

Resolved, That Congress agree to the said report.

And to the end that Congress may remain wholly acquitted from every imputation of a want of attention to the interest and welfare of those whom they represent,

Resolved, That the requisitions of Congress of the 27th of April, 1784, and the 27th of September, 1785, cannot be considered as the establishment of a system of general revenue, in opposition to that recommended to the several states by the resolves of Congress of the 18th of April, 1783.

Resolved, That the resolves of Congress of the 18th of April, 1783, recommending a system of general revenue, be again presented to the consideration of the legislatures of the several states, which have not fully complied with the same: That it be earnestly recommended to the legislatures of New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina, which have complied only in part with the said system, completely

ly to adopt the same; and to the legislatures of the states of Rhode-Island, New-York, Maryland and Georgia, which have not adopted the said system, either in whole or in part, to pass laws, without further delay, in full conformity with the same. But as it is highly necessary that every possible aid should in the most expeditious manner be obtained to the revenues of the United States, it is therefore recommended to the several states, that, in adopting the said system, they enable the United States in Congress assembled to carry into effect that part which relates to the impost so soon as it shall be acceded to.

Resolved, That whilst Congress, are denied the means of satisfying those engagements which they have constitutionally entered into for the common benefit of the union, they hold it their duty to warn their constituents that the most fatal evils will inevitably flow from a breach of public faith, pledged by solemn contract, and a violation of those principles of justice, which are the only solid basis of the honor and prosperity of nations.

THURSDAY & FRIDAY, Feb. 16 & 17, 1786.

Six states only attended, viz. New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Connecticut, Mr. Mitchell, and from Maryland, Mr. Hindman.

MONDAY, February 20, 1786.

Three states only met, viz. Massachusetts, New-Jersey and Pennsylvania; and from New-Hampshire, Mr. Long; from Connecticut, Mr. Mitchell; from Maryland, Mr. Hindman; from Virginia, Mr. Lee, and from South-Carolina, Mr. Ramsay.

Mr. St. Clair, a delegate for Pennsylvania, attended.

TUESDAY, February 21, 1786.

Congress assembled—Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Virginia, and South-Carolina; and from the state of Connecticut, Mr. Mitchell, and from Maryland, Mr. Hindman.

February 22d, 23d, and 24th, 1786.

Only six states attended, namely, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Connecticut, Mr. Mitchell, and from Maryland, Mr. Hindman.

S A T U R D A Y, *February 25, 1786.*

Congress assembled—Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Virginia, and South-Carolina; and from Connecticut Mr. Mitchell, and from Maryland, Mr. Hindman.

M O N D A Y, *February 27, 1786.*

Congress assembled—Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Connecticut, Mr. Mitchell, and from Maryland, Mr. Hindman.

F E B R U A R Y 28, and M A R C H 1 and 2, 1786.

Congress assembled—Present as before.

F R I D A Y, *March 3, 1786.*

Congress assembled—Present as before.

Mr. Edward Carrington, a delegate for Virginia attended, and took his seat.

The committee consisting of Mr. Kean, Mr. Gorham, Mr. Pinckney, Mr. Smith and Mr. Grayson, to whom were recommitteed sundry papers and documents relative to commerce, and the act passed by the states in consequence of the recommendations of Congress of the 30th April, 1784, report---

That in examining the laws passed by the states, in consequence of the act of the 30th April, 1784, they find that four states, namely, Massachusetts, New-York, New-Jersey and Virginia, have enacted laws conformable to the recommendations contained in the act, but have restrained their

their operation, until the other states shall have substantially complied.

That three states; namely, Connecticut, Pennsylvania and Maryland, have passed laws conforming to the same, but have determined the time from which they are to commence; the first from the time of passing their act in May, 1785; and the two latter from the 30th April, 1784.

That New-Hampshire, by an act passed the 23d June, 1785, have granted full powers to regulate their trade, by restrictions or duties, for fifteen years, with a proviso that the law shall be suspended until the other states have substantially done the same,

That Rhode-Island, by acts passed in February and October, 1785, have granted power for the term of twenty-five years, to regulate trade between the respective states, and of prohibiting, restraining or regulating, the importation only of all foreign goods in any ships or vessels other than those owned by citizens of the United-States, and navigated by a certain proportion of citizens; and also with a proviso restrictive of its operation until the other states shall have substantially complied.

That North-Carolina, by an act passed the 2d. June, 1784, have granted powers similar to those granted by Rhode-Island, relative to foreign commerce, but unrestrained in duration and clogged with a clause, that when all the states shall have substantially complied therewith, it shall become an article of confederation and perpetual union.

That they cannot find that the three other states, namely, Delaware, South-Carolina and Georgia have passed any laws in consequence of the recommendations. The result is that four states have fully complied; three others have also complied, but have determined the time of commencement, so that there will be a dissimilarity in the duration of the power granted; that three other states have passed laws in pursuance of the recommendations, but so inconsistent to them, both in letter and spirit, that they cannot be deemed compliances; and that three other states have passed no acts whatever.

That although the powers to be vested by the recommendations, do not embrace every object which may be necessary in a well formed system, yet, as many beneficial effects may be expected from them, the committee think

it the duty of Congress, again to call the attention of the states to this subject, the longer delay of which must be attended with very great evils; whereupon,

Resolved, That the recommendations of the 30th April, 1784, be again presented to the view of the states of Delaware, South-Carolina and Georgia, and that they be most earnestly called upon to grant powers conformable thereto.

Resolved, That the states of New-Hampshire, Rhode-Island and North-Carolina, be solicited to reconsider their acts, and to make them agreeable to the recommendations of the 30th April, 1784.

Resolved, That the time for which the power under the recommendations of the 30th April, 1784, is to continue, ought to commence on the day that Congress shall begin to exercise it; and that it be recommended to the states of Pennsylvania, Connecticut and Maryland, to amend their acts accordingly.

M O N D A Y, March 6, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Maryland, Mr. Hindman.

T U E S D A Y, March 7, 1786.

Congress assembled--Present as before; and from the state of Connecticut Mr. Mitchell.

On the report of a committee consisting of Mr. Grayson, Mr. Bayard, Mr. Pinckney, Mr. Gorham and Mr. Mitchell, to whom was referred a resolve of the assembly of New-Jersey, touching the requisition of September, 1785.

Resolved, That a committee of Congress be directed to proceed without delay to Trenton, in New-Jersey, or any other place where the legislature of that state may be sitting, and represent to them in the strongest terms the fatal consequences that must inevitably result to the said state as well as to the rest of the union, from their refusal to comply with the requisition of Congress of September 1785.

The members chosen, Mr. Pinckney, Mr. Gorham and Mr. Grayson.

W E D N E S D A Y, *March 8, 1786.*

Congress assembled--Present as yesterday.

T H U R S D A Y, *March 9, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from the state of Maryland, Mr. Hindman.

F R I D A Y, *March 10, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from New-Hampshire Mr. Long, and from Maryland Mr. Hindman.

The board of treasury, to whom was referred on the 6th instant, a concurrent resolution of the honorable the senate and assembly of the state of New-York, dated 24th of February last, instructing the delegates of the said state to request of the United States in Congress, an extension of time to the commissioner for adjusting accounts within the said state, beyond the period fixed by the resolve of Congress of 17th March 1785, having reported,

“ That although the commissioners in the several states are precluded from receiving any individual claims after the 17th March instant, they may, consistently with the said resolve, complete the liquidation of all such accounts as may be deposited in their respective offices previous to that day : That such claims in the several states as are not delivered in at the offices of the different commissioners at the period fixed by the resolve of Congress of the 17th March 1785, may still be adjusted at the treasury office of the United States; and that from the present establishment of that office in this city, the citizens of the state of New-York are in a more favorable situation for adjusting their claims against the union, than the inhabitants of other states : That it is of the highest national concern that the accounts of the several states with the United States, should be brought to a speedy and final adjustment, that the time of
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the commissioners of public accounts has been hitherto so engrossed in the liquidation of individual claims, that little or no progress has been made in this important object; That under these circumstances, the board of treasury submit to the consideration of Congress the following resolve, viz. That the application of the honorable the senate and assembly of the state of New-York, praying that the time fixed for receiving and adjusting individual claims within the said state by the commissioner of public accounts, may be extended to the first of November next, cannot be complied with, without establishing a precedent, which would render the final adjustment of such claims so indefinite, as to be injurious to the general interest of the union."

On the question to agree to the said report, the yeas and nays being required by Mr. Lawrance.

New-Hampshire,	Mr. Long	ay) *
Massachusetts,	Mr. King	ay {
	Mr. Dane	ay } ay
Connecticut,	Mr. Johnson	ay {
	Mr. Mitchell	ay } ay
New-York,	Mr. Platt	no {
	Mr. Lawrance	no } no
New-Jersey,	Mr. Symmes	ay {
	Mr. Hornblower	ay } ay
Pennsylvania,	Mr. Bayard	ay {
	Mr. St. Clair	ay } ay
Maryland,	Mr. Hindman	no) *
Virginia,	Mr. Monroe	no {
	Mr. Lee	ay } no
South-Carolina,	Mr. Carrington	no {
	Mr. Ramfay	ay {
	Mr. Kean	ay } ay

So the question was lost.

M O N D A Y, March 13, 1786.

Congress assembled--Present as before.

T U E S D A Y, March 14, 1786.

Congress assembled--Present as before.

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A letter of the 13th, from the board of treasury was read; whereupon,

On motion of Mr. King, seconded by Mr. Kean,

Resolved, That in all cases where an oath of office is required of any person holding an office under the United States in Congress assembled, such oath be in the form of the oath of office established in the ordinance for ascertaining the powers and duties of the secretary at war, passed the 27th day of January, 1785, *mutatis mutandis*.

WEDNESDAY & THURSDAY, *March 15 & 16, 1786.*

Congress assembled--Present as before.

F R I D A Y, *March 17, 1786.*

Six states assembled, namely Massachusetts, Connecticut, New-York, New-Jersey, Virginia and South-Carolina; and from the state of New-Hampshire Mr. Long, from Pennsylvania Mr. St. Clair, and from Maryland Mr. Hindman.

S A T U R D A Y, *March 18, 1786.*

Four states assembled, namely, Massachusetts, Connecticut, Virginia and South-Carolina; and from New-Hampshire Mr. Long, from New-York Mr. Platt, from New-Jersey Mr. Symmes, from Pennsylvania Mr. St. Clair, and from Maryland Mr. Hindman.

M O N D A Y, *March 20, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Virginia and South-Carolina, and from the state of Pennsylvania Mr. St. Clair, and from Maryland Mr. Hindman.

T U E S D A Y, *March 21, 1786.*

Congress assembled--Present as yesterday.

W E D N E S D A Y,

W E D N E S D A Y, *March 22, 1786.*

Congress assembled--Present New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Maryland, Mr. Hindman.

Mr. James Wilson, a delegate for Pennsylvania, attended and took his seat.

The delegates for the state of New-York produced a commission, which was read:

Ordered, That it be referred to the standing committee on qualifications to report.

The committee "appointed to proceed to Trenton, in the state of New-Jersey, or any other place where the legislature of that state may be sitting, and represent to them in the strongest terms, the fatal consequences that must inevitably result to the said state as well as the rest of the union, from their refusal to comply with the requisition of September 1785," report, that they have executed the business with which they were charged, and received a resolution of the assembly, rescinding their resolve of the 20th of February last.

T H U R S D A Y, *March 23, 1786.*

Congress assembled--Present as yesterday.

F R I D A Y, *March 24, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina.

Mr. William Harrison, a delegate for Maryland, attended and took his seat.

On the report of a committee, consisting of Mr. Pinckney, Mr. Dane, Mr. Monroe, Mr. Johnson and Mr. King, to whom was referred a report of the board of treasury, on revising the system adopted for the settlement of the accounts of the five great departments:

Resolved, That on and after the 15th day of April next, the resolutions of Congress of the 27th February 1782, so far as they relate to the appointment of five commissioners

commissioners for settling the accounts of the five great departments, be repealed.

That the respective commissioners, as soon after the 15th day of April next, as may be, deliver to the order of the board of treasury, the books and papers of their several offices; and that they account respectively with the comptroller of the treasury for the amount of certificate paper deliver to them.

That the settlement of the accounts of the said five departments be vested in one commissioner, to be appointed by Congress, and subject to the superintendence and controul of the board of treasury; that he exercise all such powers in the adjustment of the same, as were assigned to the said commissioners by any former resolutions of Congress, and that he be allowed fifteen hundred dollars per annum during the time he shall be employed in the same.

That all persons employed in adjusting the said accounts, take the oath of office, previous to their entering on the execution of the trust reposed in them.

Resolved, That Thursday next be assigned for electing the said commissioner.

Ordered, That the board of treasury report to Congress the number of persons necessary to be employed under the commissioner aforesaid, and the salaries to be allowed to each of them, and also an estimate of the contingent expences of the office of the said commissioner.

M O N D A Y, March 27, 1786.

Congress assembled—Present as before.

On the report of a committee, consisting of Mr. King, Mr. Pinckney, Mr. Johnson, Mr. Mitchell and Mr. Hindman, to whom was referred a letter from the board of treasury of the 14th May 1785, stating, that by the abolition of the office of an assistant to that board, and the small increase of the salary of their secretary, a considerable saving will accrue to the public:

Resolved, That the office of an assistant to the board of treasury, be, and hereby is abolished, and that the secretary of the said board of treasury hereafter be allowed and paid a salary, at the rate of eighteen hundred and fifty dollars per annum.

A letter of this day from A. Lee, esquire, one of the commissioners of the board of treasury, was read, requesting leave of absence during the month of April next; whereupon,

Ordered, That Mr. A. Lee, one of the commissioners of the board of treasury, have leave of absence during the month of April next, agreeably to his request.

The secretary at war, to whom was referred his letter of the 15th, containing extracts of two letters from major John Palfgrave Wyllys, at fort M'Intosh, one dated 23d January 1786, and the other the 13th February 1786, in the former of which major Wyllys states, "that the frequent desertions at that post required some immediate remedy—that in his opinion capital punishment is absolutely necessary for that purpose—that he was so far convinced of its utility in the present instance, that he had ventured to approve of the sentence of a court martial; and sincerely wishes that the necessity of his situation may not render it his duty to put the sentence into execution before any orders can arrive from the war-office," and in the latter, "that two days after his last of the 23d January, notwithstanding the proceedings of the court martial were published, and the prisoners were in irons, before their eyes, three men of captain Strong's company deserted--that a party was sent after them--that after a long pursuit they were taken and brought back to the garrison--that he ordered them immediately to be put to death, which was done, and thinks this instance of severity may probably preclude the necessity of executing the deserters now in confinement,"--having reported,

That the dignity and justice of the United States require, that a full investigation of all the circumstances attending this transaction, should be made immediately, in order that Congress may ground thereon their ultimate determination respecting the same.

Resolved, That Congress agree to the said report.

Resolved, That a court of inquiry be instituted, to consist of two field-officers, and a captain of the regiment of the United States, who were not of the garrison of fort M'Intosh at the time of the before mentioned event, and that they report to the secretary at war a state of facts only, in order to be presented to Congress.

Resolved,

Resolved, That the secretary at war direct, that the said John Palsgrave Wyllys be arrested, and remain in arrest until the further order of Congress, and that he order another field-officer immediately to repair to fort M'Intosh, to take the command of the troops at that post.

Resolved, That the secretary at war be directed to order the two men, now in confinement under sentence of death at fort M'Intosh, to be released, their trial having been illegal.

T U E S D A Y, March 28, 1786.

Congress assembled--Present as before.

On a report of the board of treasury, in pursuance of the act of the 11th October last :

Resolved, That there be allowed to Lewis Nicola, the sum of two hundred and eighty-six dollars, and eighteen ninetieths of a dollar in full, for his services whilst employed in settling the accounts and distributing the certificates belonging to the late invalid corps.

That there be allowed to Talmage Hall, late paymaster of the corps of invalids, the sum of four hundred and sixty-four dollars, in full, for his services whilst employed in the agency of the said corps.

W E D N E S D A Y, March 29, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Maryland, Virginia, and South-Carolina.

On a report of the board of treasury, to whom was referred a memorial of John Clarke, late an auditor in the main army :

Resolved, That the claim of John Clarke, late an auditor in the main army, for a further compensation for his services, whilst acting in that office, is inadmissible.

On a report of the board of treasury, to whom was referred a memorial of Giles Wolcott, praying payment of a certain sum, said to be received by him for the recruiting service, on the 3d of January, 1777, and lost on the evacuation of Ticonderoga :

Resolved, That the matters stated in the memorial of
Giles

A P R I L, 1786.

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Giles Walcott, not being supported by proper evidence, the said memorial be dismissed.

T H U R S D A Y, *March 30, 1786.*

Congress assembled--Present the same as yesterday; and from the state of Pennsylvania, Mr. Bayard.

F R I D A Y, *March 31, 1786.*

Congress assembled--Present as yesterday.

M O N D A Y, T U E S D A Y & W E D N E S D A Y,
April 3, 4 and 5, 1786.

Congress assembled--Present as before.

T H U R S D A Y, *April 6, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from New-Hampshire, Mr. Long.

On the report of the board of treasury, to whom was referred a memorial of Stephen Ranney:

Resolved, That it be, and it is hereby recommended to the legislature of the state of Connecticut, to settle and discharge the depreciation of pay due to Stephen Ranney, jun. late a surgeon's mate in the general hospital of the United States, agreeably to the resolve of Congress of the 20th February, 1782.

F R I D A Y, *April 7, 1786.*

Congress assembled--Present as yesterday.

M O N D A Y, *April 10, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, and South-Carolina; and from the state of New-Hampshire, Mr. Long, and from Maryland, Mr. Harrison.

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W E D N E S D A Y,

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WEDNESDAY, *April 12, 1786.*

Congress assembled--Present as on Monday.

THURSDAY, *April 13, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina.

MONDAY, *April 17, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Maryland, Virginia and South-Carolina; and from New-Hampshire Mr. Long; and from Pennsylvania Mr. Bayard.

The delegates for the commonwealth of Massachusetts, laid before Congress the following act of the legislature of that state, empowering them, in conjunction with the agents of New-York, to nominate judges for a federal court, to settle a controversy between those states, relative to the western lands.

“COMMONWEALTH of MASSACHUSETTS,
In Senate, December 1, 1785.

“Whereas it is necessary that some persons be specially authorized to represent this state in the appointment of a federal court, to hear and determine a certain controversy now subsisting between this commonwealth and the state of New-York, respecting a certain territory to which that government and this make claim.

“Resolved, That the delegates who shall actually represent this commonwealth in Congress the current year, or any two of them; be, and they hereby are, authorized and empowered to join with such agent or agents as may be appointed by the state of New-York, to appoint commissioners or judges, who shall constitute a federal court for

the purposes aforesaid, as particularly mentioned in a resolve passed the 11th day of November, A. D. 1784.

Sent down for concurrence,

SAMUEL PHILIPS, jun. presdt.

In the house of representatives, March 17, 1786.

Read and concurred,

A. WARD, speaker.

Approved,

JAMES BOWDOIN,

True Copy.

Attest.

JOHN AVERY, jun. secretary.*

The board of treasury having laid before Congress a copy of a letter from Mr. Clarke, commissioner of the continental loan-office for the state of Rhode-Island and Providence Plantations, announcing his resignation:

Resolved, That to-morrow be assigned for electing a commissioner of the continental loan-office for Rhode-Island and Providence Plantations, in the room of Mr. Clarke, resigned.

The commissioners for negotiating with the Indians in the middle district, having transmitted to Congress a treaty which they have entered into with the Shawanese; and the commissioners for treating with the southern Indians, having transmitted to Congress treaties which they have severally made with the Cherokees, Chickasaws, and Choctaws.

Ordered, That the said treaties be entered on the journal of Congress.

ARTICLES of a TREATY concluded at the Mouth of the Great Miami, on the north-western bank of the Ohio, the thirty-first of January, one thousand seven hundred and eighty-six, between the Commissioners Plenipotentiary of the United States of America, of the one part, and the Chiefs and Warriors of the Shawanoe nation of the other part.

Article 1. THREE hostages shall be immediately delivered to the commissioners, to remain in the possession of the United States, until all the prisoners, white and black, taken in the late war from among the citizens.

citizens of the United States, by the Shawanoe nation, or by any other Indian or Indians residing in their towns, shall be restored.

Art. 2. The Shawanoe nation, do acknowledge the United States to be the sole and absolute sovereigns of all the territory ceded to them by a treaty of peace, made between them and the King of Great-Britain, the fourteenth day of January, one thousand seven hundred and eighty-four.

Art. 3. If any Indian or Indians of the Shawanoe nation, or any other Indian or Indians residing in their towns, shall commit murder or robbery on, or do any injury to the citizens of the United States, or any of them, that nation shall deliver such offender, or offenders to the officer commanding the nearest post of the United States, to be punished according to the ordinances of Congress; and in like manner any citizen of the United States who shall do an injury to any Indian of the Shawanoe nation, or to any other Indian or Indians residing in their towns, and under their protection, shall be punished according to the laws of the United States.

Art. 4. The Shawanoe nation having knowledge of the intention of any nation or body of Indians to make war on the citizens of the United States, or of their counselling together for that purpose, and neglecting to give information thereof to the commanding officer of the nearest post of the United States, shall be considered as parties in such war, and be punished accordingly: and the United States shall in like manner inform the Shawanoes of any injury designed against them.

Art. 5. The United States do grant peace to the Shawanoe nation, and do receive them into their friendship and protection.

Art. 6. The United States do allot to the Shawanoe nation, lands within their territory to live and hunt upon, beginning at the south line of the lands allotted to the Wiandots and Delaware nations, at the place where the main branch of the great Miami which falls into the Ohio intersects said line--then down the river Miami, to the fork of that river, next below the old fort, which was taken by the French in 1752; thence due west to the River, de la Panse;--then down that river, to the river Wabash

basin, beyond which lines, none of the citizens of the United States shall settle, nor disturb the Shawanoes in their settlements and possessions; and the Shawanoes do relinquish to the United States, all title, or pretence of title they ever had to the lands east, west and south, of the east, west and south lines before described,

Art. 7. If any citizen or citizens of the United States, shall presume to settle upon the lands allotted to the Shawanoes by this treaty, he or they shall be put out of the protection of the United States.

In TESTIMONY WHEREOF, the Parties hereunto have affixed their hands and seals, the day and year first above mentioned.

(Signed) G. R. Clarke, Richa. Butler, Sam. H. Parsons. Aweecony, Kakawipilathy, Malunthy, Musquaconocah, Meanymsēcāh, Waupaucowela, Nihipeewa, Nihinefficoe.

Attest, Alexander Campbell, sec. to commissioners.

Witnesses, William Finney, maj. B. B. Thos. Doyle, capt. B. B. Nathan M'Dowell, enf. John Saffinger, Henry Govy, Cagy Galloway, his X mark, John Boggs, and others.

ARTICLES of a TREATY concluded at Hopewell, on the Keowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan M'Intosh, Commissioners Plenipotentiary of the United States of America, of the one part, and the Head Men and Warriors of all the Cherokees of the other.

THE Commissioners Plenipotentiary of the United States in Congress assembled, give peace to all the CHEROKEES, and receive them into the favor and protection of the United States of America, on the following conditions.

Art. 1. The Head-Men and Warriors of all the Cherokees, shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their intire liberty : They shall also restore all the negroes, and all other property taken during the late war from the citizens, to such person

person, and at such time and place, as the commissioners shall appoint.

Art. 2. The Commissioners of the United States in Congress assembled, shall restore all the prisoners taken from the Indians, during the late war, to the Head-Men and Warriors of the Cherokees, as early as is practicable.

Art. 3. The said Indians for themselves, and their respective tribes and towns, do acknowledge all the Cherokees to be under the protection of the United States of America, and of no other sovereign whatsoever.

Art. 4. The boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is, and shall be the following, viz. beginning at the mouth of Duck river on the Tennessee; thence running north-east, to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge to a north-east line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river, thence to Campbell's line, near Cumberland gap; thence to the mouth of Claud's creek on Holstein; thence to the Chimney Top mountain; thence to Camp creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North-Carolina line; thence to the South-Carolina Indian boundary, and along the same south-west over the top of the Oconee mountain till it shall strike Tugalo river; thence a direct line to the top of the Currohee mountain; thence to the head of the South fork of Oconee river.

Art. 5. If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands westward or southward of the said boundary which are hereby allotted to the Indians for their hunting grounds, or having already settled and will not remove from the same within six months after the ratification of this treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please--provided nevertheless, that this article shall not extend to the people settled between the fork of French

Broad, and Holstein rivers, whose particular situation shall be transmitted to the United States in Congress assembled for their decision thereon, which the Indians agree to abide by.

Art. 6. If any Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery, or murder or other capital crime on any citizen of the United States, or person under their protection, the nation, or the tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the ordinances of the United States; provided that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Art. 7. If any citizen of the United States, or person under their protection, shall commit a robbery or murder or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder or robbery or other capital crime, had been committed on a citizen of the United States; and the punishment shall be in presence of some of the Cherokees, if any shall attend at the time and place, and that they may have an opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes.

Art. 8. It is understood that the punishment of the innocent under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

Art. 9. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians; the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Art. 10. Until the pleasure of Congress be known, respecting the ninth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated.

Art.

Art. 11. The said Indians shall give notice to the citizens of the United States, of any designs which they may know or suspect to be formed in any neighbouring tribe, or by any person whosoever, against the peace, trade or interest of the United States.

Art. 12. That the Indians may have full confidence in the justice of the United States respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to Congress.

Art. 13. The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said states on the one part, and all the Cherokees on the other, shall be universal; and the contracting parties shall use their utmost endeavours to maintain the peace given as aforesaid, and friendship re-established.

IN WITNESS of all, and every thing herein determined, between the United States of America, and all the Cherokees--We their underwritten commissioners, by virtue of our full powers have signed this definitive treaty, and have caused our seals to be hereunto affixed. — DONE at Hopewell, on the Keowee, this twenty eighth of November, in the year of our Lord one thousand seven hundred and eighty-five.

(Signed) *Benjamin Hawkins, Andrew Pickens, Joseph Martin, Lachn. M'Intosh*, and by thirty-seven Head Men of the Cherokee nation.

ARTICLES of a TREATY, concluded at Hopewell, on the Keowee river, near Seneca Old Town, between Benjamin Hawkins, Andrew Pickens and Joseph Martin, Commissioners Plenipotentiary of the United States of America of the one part, and Piomingo, Head-Warrior and first Minister of the Chickasaw Nation, Mingoatika, one of the leading Chiefs, and Latopoia, first beloved Man of the said Nation--Commissioners Plenipotentiary of all the Chickasaws of the other part.

THE commissioners plenipotentiary of the United States of America give peace to the Chickasaw nation, and receive them into the favour and protection of the said states, on the following conditions.

Art.

Article 1. The commissioners plenipotentiary of the Chickasaw nation, shall restore all the prisoners, citizens of the United States, to their entire liberty, if any there be in the Chickasaw nation.--They shall also restore all the negroes, and all other property taken during the late war, from the citizens, if any there be in the Chickasaw nation, to such person, and at such time and place, as the commissioners of the United States of America shall appoint.

Art. 2. The commissioners plenipotentiary of the Chickasaws, do hereby acknowledge the tribes and the towns of the Chickasaw nation, to be under the protection of the United States of America, and of no other sovereign whatsoever.

Art. 3. The boundary of the lands hereby allotted to the Chickasaw nation to live and hunt on, within the limits of the United States of America, is, and shall be the following, viz.

Beginning on the ridge that divides the waters running into the Cumberland, from those running into the Tennessee, at a point in a line to be run north east, which shall strike the Tennessee, at the mouth of Duck river; thence running westerly along the said ridge, till it shall strike the Ohio; thence down the southern banks thereof, to the Mississippi; thence down the same, to the Choctaw line or Natches district; thence along the said line, or the line of the district eastwardly as far as the Chickasaws claimed, and lived and hunted on, the twenty-ninth of November, one thousand seven hundred and eighty-two. Thence the said boundary eastwardly, shall be the lands allotted to the Choctaws and Cherokees to live and hunt on, and the lands at present in the possession of the Creeks; saving and reserving for the establishment of a trading post, a tract or parcel of land to be laid out at the lower post of the Muscle Shoals, at the mouth of Ocochappo, in circle, the diameter of which, shall be five miles on the river, which post, and the lands annexed thereto, shall be to the use and under the government of the United States of America.

Art. 4. If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Chickasaws to live

and hunt on, such person shall forfeit the protection of the United States of America, and the Chickasaws may punish him or not as they please.

Art. 5. If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States, or person under their protection, the tribe to which such offender or offenders may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in Congress assembled: Provided that the punishment shall not be greater, than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Art. 6. If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders, shall be punished in the same manner, as if the robbery or murder, or other capital crime, had been committed on a citizen of the United States of America; and the punishment shall be in presence of some of the Chickasaws, if any will attend at the time and place, and that they may have an opportunity so to do, due notice, if practicable, of such intended punishment, shall be sent to some one of the tribes.

Art. 7. It is understood, that the punishment of the innocent, under the idea of retaliation is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

Art. 8. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled, shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Art. 9. Until the pleasure of Congress be known, respecting the eighth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Chickasaws to trade with them, and they shall be protected in their persons and property, and kindly treated.

Art.

Art. 10. The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighbouring tribe, or by any person whosoever, against the peace, trade or interest of the United States of America.

Art. 11. The hatchet shall be forever buried, and the peace given by the United States of America, and friendship re-established between the said states on the one part, and the Chickasaw nation on the other part, shall be universal; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

IN WITNESS of all, and every thing herein contained, between the said states and Chickasaws, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed. — DONE at Hopewell, on the Keowee, this tenth day of January, in the year of our Lord, one thousand seven hundred and eighty-six.

(Signed) *Benjamin Hawkins, Andrew Pickens, Joseph Martin.*

Piomingo, Mingatushka, Latopoia.

(Witness) *Wm. Blount, Wm. Hazzard, Sam. Taylor.*

James Cole, Sworn Interpreter.

ARTICLES of a TREATY, concluded at Hopewell, on the Keowee, near Seneca Old Town, between Benjamin Hawkins, Andrew Pickens and Joseph Martin, Commissioners Plenipotentiary of the United States of America of the one part---and Yockonahoma, great Medal Chief of Soonacoha, Yockehoopoie, leading Chief of Bugtoogoloo, Mingohoopoie, leading Chief of Haskooqua, Tobocoh, great Medal Chief of Congaltoo, Poohamastubie, Gorget Captain of Sonayazo, and thirteen small Medal Chiefs of the first Class, twelve Medal and Gorget Captains, Commissioners Plenipotentiary, of all the Choctaw Nation of the other part.

THE Commissioners Plenipotentiary of the United States of America give peace to all the Choctaw nation, and receive them into the favor and protection of

the United States of America, on the following conditions:

Art. 1. The Commissioners Plenipotentiary of all the Choctaw nation, shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty, if any there be in the Choctaw nation. They shall also restore all the negroes, and all other property taken during the late war, from the citizens, to such person, and at such time and place, as the commissioners of the United States of America shall appoint, if any there be in the Choctaw nation.

Art. 2. The Commissioners Plenipotentiary of all the Choctaw nation, do hereby acknowledge the tribes and towns of the said nation, and the lands within the boundary allotted to the said Indians, to live and hunt on, as mentioned in the third article, to be under the protection of the United States of America, and of no other sovereign whatsoever.

Art. 3. The boundary of the lands, hereby allotted to the Choctaw nation to live and hunt on, within the limits of the United States of America is, and shall be the following, viz. Beginning at a point on the thirty-first degree of north latitude, where the eastern boundary of the Natches district shall touch the same; thence east along the said thirty-first degree of north latitude, being the southern boundary of the United States of America, until it shall strike the eastern boundary of the lands on which the Indians of the said nation did live and hunt on the twenty-ninth of November, one thousand seven hundred and eighty-two, while they were under the protection of the King of Great-Britain. Thence northerly along the said eastern boundary, until it shall meet the northern boundary of the said lands; thence westerly along the said northern boundary, until it shall meet the western boundary thereof; thence southerly along the same to the beginning; saving and reserving for the establishment of trading posts, three tracts or parcels of land; of six miles square each, at such places as the United States in Congress assembled shall think proper; which posts, and the lands annexed to them, shall be to the use and under the government of the United States of America.

Art.

Art. 4. If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Indians to live and hunt on, such person shall forfeit the protection of the United States of America, and the Indians may punish him or not as they please.

Art. 5. If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime on any citizen of the United States of America, or person under their protection, the tribe to which such offenders may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in Congress assembled: Provided that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

Art. 6. If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner, as if the robbery or murder, or other capital crime, had been committed on a citizen of the United States of America; and the punishment shall be in presence of some of the Choctaws, if any will attend at the time and place; and that they may have an opportunity so to do, due notice, if practicable, of the time of such intended punishment shall be sent to some one of the tribes.

Art. 7. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

Art. 8. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

Art. 9. Until the pleasure of Congress be known, respecting the eighth article, all traders, citizens of the
United

United States of America, shall have liberty to go to any of the tribes or towns of the Choctaws, to trade with them, and they shall be protected in their persons and property and kindly treated.

Art. 10. The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighbouring tribe, or by any person whosoever, against the peace, trade or interest of the United States of America.

Art. 11. The hatchet shall be forever buried, and the peace given by the United States of America, and friendship re-established between the said states on the one part, and all the Choctaw nation on the other part, shall be universal; and the contracting parties shall use their utmost endeavours to maintain the peace given as aforesaid, and friendship re-established.

IN WITNESS of all, and every thing herein determined, between the United States of America and all the Choctaws, we their underwritten commissioners, by virtue of our full powers have signed this definitive treaty, and have caused our seals to be hereunto affixed.——

DONE at Hopewell, on the Keowee, this third day of January, in the year of our Lord one thousand seven hundred and eighty-six.

(Signed) *Benjamin Hawkins, Andrew Pickens, Jos. Martin.*

Yockenahoma, Yockehoopie, Mingohoopie, Tobocoh, Pooshemasiuby, Pooshahooma, Tuscoonoohoopie, Shinshemasiuby, Yoopakooma, Stoonokoohoopie, Tehakuhbay, Pooshemasiuby, Tuskkahoomoch, Tushkahoomoch, Yoostenochha, Tootehooma, Toobenohoomoch, Cshcoopooohoomoch, Stonakoohoopie, Tushkoheegohta, Tesluhenochloch, Poosbonaltla, Okanconnooba, Autoonachuba, Pangekoolock, Steabee, Tenctehenna, Tushkementahock, Tushtallay, Cshnaangchabba, Cunnopie.

(Witness) *Wm. Blount, John Woods, Saml. Taylor, Robert Anderson, Benjn. Lawrence.*

John Pitchlynn, James Cole, Interpreters.

TUESDAY,

A P R I L, 1786.

TUESDAY, *April 18, 1786.*

Congress assembled---present as before.

According to order, Congress proceeded to the election of a commissioner of the continental loan-office for the state of Rhode-Island and Providence Plantations, in the room of Mr. Clarke, who has resigned; and the ballots being taken

WILLIAM ELLERY, Esq; was elected, having been previously nominated by Mr. Long.

WEDNESDAY, *April 19, 1786.*

Congress assembled---present as before.

The Delegates for Massachusetts made the following motion :---

WHEREAS the general court of the Commonwealth of Massachusetts, did, on the 5th day of November last, pass the following resolve: "That his excellency the governor be, and hereby is requested to ask of the United States in Congress assembled, the loan of such a number of brass field-pieces as may be requisite for the several companies of artillery that now are, or hereafter may be formed in this Commonwealth, to be returned in good order, when the United States in Congress assembled, shall require the same." And whereas the governor of the said Commonwealth, in conformity with the said resolve, has requested of the delegates of the said Commonwealth in Congress, to ask of the United States in Congress assembled, the loan of sixty pieces of brass field artillery, for the purposes, and to be returned as aforesaid. The said delegates, in pursuance of the premises, submit the following resolution.

That the secretary at war take order to deliver, from the arsenals of the United States, to the supreme executive of the commonwealth of Massachusetts, sixty pieces of brass field artillery, for the use of the said commonwealth, taking receipts for such delivery. The said field-pieces to be returned in good order, whenever the United States in Congress assembled shall require the same.

A motion was made by Mr. Long, seconded by Mr. Carrington, to postpone the consideration of the resolution, proposed in order to take up the following :

" That

“ That however desirous Congress may be, on every occasion, to comply with the request of the State of Massachusetts, they cannot, with a due regard for the public safety, establish a precedent for dispersing the field artillery, or military stores of the United States, by loaning the same to individual states; but earnestly recommend it to every state, not supplied with such artillery or stores, to procure them without delay, pursuant to the sixth article of the confederation.”

And on the question to postpone, for the purpose above mentioned; the yeas and nays being required by Mr. Long.

New-Hampshire,	Mr. Long	ay)*
Massachusetts,	Mr. Gorham	no	}
	Mr. King	ay	} no
	Mr. Dane	no	}
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Mitchell	ay	}
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	}
New-Jersey,	Mr. Symmes	no	} divided
	Mr. Hornblower	ay	}
Pennsylvania,	Mr. Bayard	ay)*
Maryland,	Mr. Hindman	ay	} ay
	Mr. Harrison	ay	}
Virginia,	Mr. Grayson	ay	}
	Mr. Monroe	ay	} ay
	Mr. Carrington	ay	}
	Mr. Lee	ay	}
South-Carolina,	Mr. Ramfay	ay	} ay
	Mr. Kean	ay	}

So the question was lost.

On the question to agree to the motion of the delegates of Massachusetts, the yeas and nays being required by Mr. Dane.

New-Hampshire,	Mr. Long	no)*
Massachusetts,	Mr. Gorham	ay	}
	Mr. King	ay	} ay
	Mr. Dane	ay	}
Connecticut,	Mr. Johnson	no	} no
	Mr. Mitchell	no	}

New*

New-York,	Mr. Haring,	no	} no
	Mr. Smith,	no	
New-Jersey,	Mr. Symmes,	ay	} divided
	Mr. Hornblower,	no	
Pennsylvania,	Mr. Bayard,	no	}*
Maryland,	Mr. Hindman,	no	
	Mr. Harrison,	no	} no
Virginia,	Mr. Grayson,	no	
	Mr. Monroe,	no	} no
	Mr. Carrington,	no	
	Mr. Lee,	no	
South-Carolina,	Mr. Ramsay,	no	} no
	Mr. Kean,	no	

So the question was lost.

THURSDAY, April 20, 1786, and FRIDAY,
April 21, 1786.

Congress assembled--Present as before.

MONDAY, April 24, 1786:

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from New-Hampshire, Mr. Long.

On the report of the board of treasury, to whom was referred the petition of Judah Williams, late an assistant commissary of purchases.

Resolved, That the petition of Judah Williams, praying for an allowance of depreciation on certain purchases made by him under the direction of Henry Champion, late a deputy commissary of purchases to the army, cannot be granted.

TUESDAY, April 25, 1786.

Congress assembled--Present as before.

WEDNESDAY, April 26, 1786:

Congress assembled--Present as before.

K THURSDAY,

THURSDAY, *April 27, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from New-Hampshire, Mr. Long, and from New-York, Mr. Smith.

FRIDAY, *April 28, 1786.*

Congress assembled--Present as before.

On the report of a committee, to whom was referred a letter from general Butler, dated 25th of April, 1786, announcing the arrival, in this city, of the Cornplanter, alias captain O'Beal, a chief of the Seneca tribe of the Six Nations, with five others of the same nation:

Resolved, That Congress will on Tuesday next receive a visit from captain O'Beal and his associates, to be attended by the commissioners for western affairs, and the geographer of the United States.

Resolved, That suitable presents, to an amount not exceeding four hundred dollars, be purchased and disposed of among them, by the commissioners appointed to hold treaties with the Indians.

MONDAY, *May 1, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from New-Hampshire, Mr. Long; and from Delaware, Mr. Patton.

Mr. Patton produced credentials, dated the 30th day of November, 1785, by which it appears, that the honorable Gunning Bedford, junior, John Vining, John Patton, Thomas Rodney, and William Peery, esquires, are empowered and authorised to represent the state of Delaware in the United States in Congress assembled, until the first Monday in November, 1786.

A letter of April 27, 1786, from the board of treasury, with several letters which passed between said board and Abraham Yates, junior, esquire, relative to the oath of office to be taken by persons employed in the service of the United States, being under consideration:

A motion was made by Mr. Dane, seconded by Mr. Long :

Whereas Abraham Yates, junior, heretofore appointed commissioner of the continental loan-office for the state of New-York, hath refused to take the oath of office, in that behalf, prescribed by the United States in Congress assembled: *Resolved*, That Congress consider the said office as vacant, and that Wednesday next be assigned for the election of a commissioner to that office.

A motion was then made by Mr. Smith, seconded by Mr. Lawrence, to postpone that motion to take up the following :

Whereas Abraham Yates, junior, appointed to the office of commissioner of the continental loan-office of the state of New-York, did on the 6th of March, 1786, enter into bonds to the United States, with two sureties, himself in 26,000 dollars, and John Lansing and Peter Yates, esquires, as his sureties, each in the sum of 13,000 dollars: And whereas the said Abraham Yates, junior, did on the 3d day of March, 1786, take and subscribe before John Sloss Hobart, esquire, one of the judges of the supreme court of the state of New-York, the oath of fidelity to the United States, and an oath for the due execution of his office, in the words following, that is to say, "I Abraham Yates, appointed to the office of commissioner of the continental loan-office of the state of New-York, do acknowledge that I do owe faith and true allegiance to the United States of America, and I do swear that I will, to the utmost of my power, support, maintain and defend the said United States in their freedom, sovereignty and independence, against all opposition whatsoever; and I do further swear, that I will faithfully, truly and impartially execute the office of commissioner of the continental loan-office of the state to which I am so appointed, according to the best of my skill and judgment." And whereas a certificate of the said oath, together with the bonds aforesaid, were transmitted to the board of treasury on the 5th day of March, 1786; therefore, *Resolved*, that the said Abraham Yates, junior, was, on the 6th day of March, 1786, duly qualified to enter on the duties of his office, as commissioner of the continental

loan office for the state of New-York, agreeably to the resolves of Congress of the 30th of September, 1785; and that the resolution of Congress of the 14th of March, 1786, declaring, "That in all cases where an oath of office is required of any person holding an office under the United States in Congress assembled, such oath be in the form of the oath of office established in the ordinance for ascertaining the powers and duties of the secretary at war, passed the 27th day of January, 1785, *mutatis mutandis*," ought not to be construed to extend to his case.

On the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Smith.

New-Hampshire,	Mr. Long	no) *
Massachusetts,	Mr. Gorham	no	
	Mr. King	no	} no
	Mr. Dane	no	
Connecticut,	Mr. Johnson	no	{ no
	Mr. Mitchell	no	
New-York,	Mr. Smith	ay	} ay
	Mr. Lawrence	ay	
New-Jersey,	Mr. Symmes	no	} no
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. St. Clair	no	
Maryland,	Mr. Hindman	no	} no
	Mr. Harrison	no	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	} no
South-Carolina,	Mr. Ramsay	no	
	Mr. Kean	no	

So it passed in the negative.

On the question to agree to the motion of Mr. Dane, the yeas and nays being required by Mr. Lawrence.

New-Hampshire,	Mr. Long	ay) ay
Massachusetts,	Mr. Gorham	ay	
	Mr. King	ay	} ay
	Mr. Dane	ay	
Connecticut,			

Connnecticut,	Mr. Johnson	ay	} ay
	Mr. Mitchell	ay	
New-York,	Mr. Smith	no	} no
	Mr. Lawrence	no	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Sr. Clair	ay	
Maryland,	Mr. Hindman	ay	} ay
	Mr. Harrison	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	} ay
South-Carolina,	Mr. Ramfay	ay	
	Mr. Kean	ay	

So it was resolved as follows :

Whereas Abraham Yates, jun. heretofore appointed commissioner of the continental loan-office for the state of New-York, hath refused to take the oath of office in that behalf, prescribed by the United States in Congress assembled ;

Resolved, That Congress consider the said office as vacant, and that Wednesday next be assigned for the election of a commissioner, to that office.

T U E S D A Y, May 2, 1786.

Congress assembled---Present Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, and South-Carolina ; and from New-Hampshire Mr. Long.

Mr. Thomas Rodney, a delegate for the state of Delaware, attended and took his seat in Congress.

According to order, captain O'Beal, alias Cornplanter, with his five associates, was introduced, and having made a speech on the occasion retired.

W E D N E S D A Y, May 3, 1786.

Congress assembled---Present Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware,

Maryland,

Maryland, Virginia, North-Carolina and South-Carolina ; and from New-Hampshire Mr. Long, and from Rhode-Island Mr. Manning.

Mr. Manning, a delegate from Rhode-Island, produced credentials of his appointment, and took his seat in Congress.

Mr. White and Mr. Bloodworth, delegates from North-Carolina, produced the credentials of their respective appointments, and took their seats in Congress.

T H U R S D A Y, *May 4, 1786.*

Congress assembled---Present Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina and South-Carolina ; and from New-Hampshire Mr. Long, and from Rhode-Island Mr. Manning.

F R I D A Y, *May 5, 1786.*

Congress assembled---Present the same as yesterday.

Agreeable to an order capt. O'Beal, alias the Cornplanter, with his associates, was again admitted, and the chairman in behalf of Congress, addressed the Indian chief, and returned an answer to the speech delivered the 2d instant, and to the talks transmitted by general Butler.

S A T U R D A Y, *May 6, 1786.*

Six states assembled---namely, Massachusetts, New-Jersey, Pennsylvania, Delaware, North-Carolina and South-Carolina ; and from New-Hampshire Mr. Long, from Rhode-Island Mr. Manning, from Connecticut Mr. Mitchell, from New-York Mr. Smith, from Maryland Mr. Hindman, and from Virginia Mr. Monroe.

M O N D A Y, *May 8, 1786.*

Congress assembled---Present Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia,

Georgia; and from the state of New-Hampshire, Mr. Long.

Mr. William Houston and Mr. William Few, delegates for Georgia, produced credentials by which it appears that they are severally appointed delegates to represent the said state from the 10th February last, until the first Monday in November next.

This being the day assigned for the appearance of the states of South-Carolina and Georgia, by their lawful agents, in pursuance of notice transmitted to them agreeably to the resolution of the first day of June last :

With the consent and at the request of the delegates of the states of South-Carolina and Georgia :

Resolved, That farther day be given, and that Monday the 15th of the present month be assigned for the appearance of the said states.

On report of the board of treasury, to whom was referred the memorial of colonel James Livingston, together with a report of the auditor of the treasury on the state of his accounts, for provisions and boards purchased for the use of the army.

Resolved, That there be allowed to colonel James Livingston, the sum of one hundred and forty dollars, and sixty two ninetieths being a balance appearing to be due to him for provisions and boards furnished the army in Canada, in the years 1775 and 1776, and that the comptroller give a certificate for that sum.

On that part of the memorial of the said colonel Livingston, which prays that Congress, would be pleased to order payment, of the monies voted to him by their resolve of the 5th March 1785, on account of his services in Canada, previous to his receiving a commission, the board having reported "that although it appears, from the said resolve that the services rendered, by colonel Livingston were of an eminent nature, yet the board are of opinion, that it would not be proper to deviate from the established line of settling the arrearages of military pay, more especially as colonel Livingston, has in consequence of the resolves of Congress continued to draw rations since the army has been disbanded."

Resolved, That Congress agree to the said report.

According

According to order, Congress proceeded to the election of a commissioner of the continental loan-office for the state of New-York, and the ballots being taken, Mr. John Cochran was elected, having been previously nominated by Mr. Laurence.

On the report of the committee, consisting of Mr. Johnson, Mr. Carrington, Mr. Gorham, Mr. King and Mr. Long, to whom was referred a memorial of Mr. Burrell, Mr. Bindon and Mr. Fox :

Resolved, That the act of Congress of the 24th of March last, abolishing the five great departments, so far as it directs, that the accounts within the same be settled by a single commissioner, be and is hereby repealed.

Resolved, That the powers and duties heretofore exercised by the commissioners for the quarter-master's and the commissary's departments be exercised by one commissioner, and that the powers and duties of the commissioners for the hospital, marine and cloathier's departments be exercised by one other commissioner, to be elected annually by Congress; and that the salary of each of the said commissioners be at the rate of twelve hundred and fifty dollars per annum.

Congress proceeded to the election of the two commissioners, and the ballots being taken,

Mr. Jonathan Burrall was elected for settling the accounts of the quarter-masters and commissary's departments, having been previously nominated by Mr. Dane.

Mr. Benjamin Walker, was elected commissioner for settling the accounts of the hospital, marine and clothier's departments, having been previously nominated by Mr. Lawrance.

On motion of Mr. Monroe, seconded by Mr. Carrington :

Resolved, That the board of treasury be and they are hereby directed to take order, for the payment of four hundred dollars to the guardian of Hugh Mercer, son of the late general Mercer, for his education and board for the term of one year, commencing on the 27th day of April last.

On report of the secretary at war, to whom was referred the petition of Johannes Shrine, a Mohawk Indian :

Resolved, That the sum of one hundred dollars be paid to

to Johannes Shrine, an Indian chief of the Mohawk tribe, as a compensation for the services and sufferings which he alledges to have performed and sustained in the service of the United States.

T U E S D A Y, *May 9, 1786.*

Congress assembled--Present Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire, Mr. Long; and from Rhode-Island Mr. Manning.

On a report of the board of treasury, to whom was referred the report of the commissioner of public accounts for the state of Delaware, on the accounts of John M'Kinley, late president of the said state:

Resolved, That in the settlement of the accounts of John M'Kinley, late president of the state of Delaware, he be credited the sum of fifteen hundred dollars, by him paid to the militia of the said state, whilst in the service of the United States; as also with the further sum of four thousand five hundred dollars, a balance of monies belonging to the United States, in his hands, and taken by the enemy at the time the said John M'Kinley was captured by the British forces.

Resolved, That if the said John M'Kinley shall at any period within the space of twelve months; computed from the date of this resolve, produce a certificate from the auditor, or other proper officer of the treasury of the state of Delaware, purporting that the United States are credited by the said state with the sum of four thousand dollars, alledged to have been advanced by the said M'Kinley to George Latimer, late a pay-master in the militia of the said state, he be credited on the settlement of his accounts with the commissioner of accounts for the state of Delaware, with the sum above mentioned.

A motion being made by Mr. Kean, seconded by Mr. Carrington, as follows:

Whereas it appears from a letter from E. Blake, commissioner elect of the continental loan-office in the state of South-Carolina, that it will not suit him to accept the appointment, unless he is allowed to carry on the factorage business,

business, so far as to sell the produce of the country on commission; and whereas the selling of the produce of the country on commission, is not in that state, and ought not to be construed to mean a being concerned directly or indirectly in trade; therefore *Resolved*, That the board of treasury inform Mr. Blake that he may qualify as commissioner of the continental loan-office in the state of South-Carolina.

A motion was made by Mr. King, seconded by Mr. Dane, to strike out the words "and whereas the selling of the produce of the country on commission, is not in that state, and ought not to be construed to mean a being concerned, directly or indirectly in trade therefore;" and on the question, shall those words stand, the yeas and nays being required by Mr. King:

Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	no	} *
Connecticut,	Mr. Johnson	no	
	Mr. Mitchell	ay	} divided
New-York,	Mr. Smith	no	
	Mr. Haring	no	} no
New-Jersey,	Mr. Symmes	ay	
	Mr. Hornblower	no	} divided
Pennsylvania,	Mr. Pettit	no	
	Mr. Bayard	no	} no
Delaware,	Mr. Patten	no	
	Mr. Rodney	no	} no
Maryland,	Mr. Harrison	no	
Virginia,	Mr. Monroe	ay	} *
	Mr. Carrington	ay	
North-Carolina,	Mr. Bloodworth	no	} divided
	Mr. White	ay	
South-Carolina,	Mr. Ramsay	ay	} ay
	Mr. Kean	ay	
Georgia,	Mr. Few	no	} *

So the question was lost, and the words were struck out.

A motion being then made by Mr. Kean, seconded by Mr. Carrington:

That the board of treasury take order to inform Mr. E. Blake, that he may qualify as commissioner of the continental

mental loan-office in South-Carolina ; and on this, a question being taken and lost ; on motion of Mr. King, seconded by Mr. Kean :

Whereas the ordinance regulating the duties of the commissioners of the continental loan-office, declares that the said officers shall not, directly, or indirectly, be concerned in trade ; and whereas Mr. Blake, commissioner elect of the loan-office of the state of South-Carolina, has signified to the board of treasury, that it will not suit him to accept the appointment of commissioner of the loan-office, unless he is allowed to carry on the factorage business ; so far as it relates to selling the produce of the country on commission :

Resolved, That Friday next be assigned for the election of a commissioner of the continental loan-office for the state of South-Carolina.

On motion of Mr. Dane, seconded by Mr. King,

Resolved, That the geographer of the United States and the surveyors appointed pursuant to the ordinance of Congress, passed May 20, 1785, for ascertaining the mode of disposing of lands in the western territory, and who have accepted their appointments, proceed in the execution of the said ordinance ; provided that they do not proceed further northerly than the east and west line mentioned in the said ordinance.

W E D N E S D A Y, May 10, 1786.

Congress assembled--Present as yesterday.

Mr. William Blount, a delegate for the state of North-Carolina, attended and took his seat in Congress.

T H U R S D A Y, May 11, 1786.

Congress assembled--Present as before.

A motion was made by Mr. Houstoun, seconded by Mr. Pettit :

That a committee be appointed to take under consideration the ordinance passed the 20th May, 1785, and the resolve of the 9th instant, respecting the said ordinance, and to report whether any, or what alterations may be necessary.

On the question to agree to the motion, the yeas and nays being required by Mr. Houstoun : New-Hampshire,

New-Hampshire,	Mr. Long	no) *
Massachusetts,	Mr. Gorham,	no	
	Mr. King,	no	} no
	Mr. Dane,	no	
Rhode-Island,	Mr. Manning,	no) *
Connecticut,	Mr. Johnson,	no	
	Mr. Mitchell,	no	} no
New-York,	Mr. Lawrence	no	
	Mr. Smith	no	} no
New-Jersey,	Mr. Symmes,	no	
	Mr. Hornblower,	no	} no
Pennsylvania,	Mr. Pettit,	ay	
	Mr. Bayard,	no	} divided
Delaware,	Mr. Patten,	no	
	Mr. Rodney,	ay	} divided
Maryland,	Mr. Hindman,	no	
	Mr. Harrison,	no	} no
Virginia,	Mr. Grayson,	ay	
	Mr. Carrington,	ay	} ay
North-Carolina,	Mr. Blount,	ay	
	Mr. Bloodworth,	ay	} ay
	Mr. White,	ay	
South-Carolina,	Mr. Ramfay,	no	} no
	Mr. Kean,	no	
Georgia,	Mr. Houston,	ay	} ay
	Mr. Few,	ay	

So the question was lost.

F R I D A Y, May 12, 1786.

Congress assembled.--Present as before,

On motion of Mr. King, seconded by Mr. Hornblower,

Whereas the ordinance for ascertaining the mode of disposing of lands in the western territory directs "That the geographer and surveyors shall pay the utmost attention to the variation of the magnetic needle, and shall run and note all lines by the true meridian, certifying with every plat what was the variation at the times of running the lines thereon noted;" which direction will greatly delay the survey of the said territory :

Resolved, That the above recited clause in the said ordinance be, and the same hereby is repealed.

According to order, Congress proceeded to the election of a commissioner of the continental loan-office for the state of South-Carolina, and the ballots being taken,

Mr. John Neuville was elected having been previously nominated by the delegates of that state.

The delegates for the state of New-York laid before Congress two acts passed by the legislature of that state which were read, one act entitled,

An act acceding to the acts of Congress of the 27th September, and the 12th of October, 1785, passed 28th April 1786.

The other entitled, "An act for giving and granting to the United States in Congress assembled, certain imposts and duties on foreign goods imported into this state, for the special purpose of paying the principal and interest of the debt contracted in the prosecution of the late war with Great-Britain, passed the 4th of May, 1786.

On motion of Mr. Grayson, seconded by Mr. King,

Resolved, That the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, be and are hereby declared to be common highways, and be forever free, as well to the inhabitants of the said territory, as to the citizens of the United States, and those of any other states, that may be admitted into the confederation without any tax, impost or duty therefor.

On report of the committee, to whom was referred the petition of Henry Purcell:

Resolved, That the commissioner of army accounts, issue to the reverend Henry Purcell, a certificate of one thousand dollars, in full, for his extra pay and emoluments as deputy judge advocate general in the states of South-Carolina and Georgia.

M O N D A Y, May 15, 1786.

Congress assembled--Present as before.

The time for which Mr. Ramsay was elected a delegate being expired, and he having departed; on motion of Mr. Kean, seconded by Mr. Lawrance:

Resolved, That a chairman be elected to serve until the first Monday in June next.

Congress

Congress proceeded to an election, and the ballots being taken,

The honorable Nathaniel Gorham was elected.

The order of the day being called for by the state of South-Carolina, to proceed to the election of a minister plenipotentiary to the United Netherlands,

A motion was made by Mr. King, seconded by Mr. Long,

That the order of the day be postponed; and on the question for postponing, the yeas and nays being required by Mr. Houstoun.

New-Hampshire,	Mr. Long	ay)*
Massachusetts,	Mr. Gorham	no	} ay
	Mr. King	ay	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay)*
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Mitchell	ay	
New-York,	Mr. Lawrance	no	} ay
	Mr. Smith,	ay	
	Mr. Haring,	ay	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
	Mr. St. Clair	ay	
	Mr. Wilson	no	} divided
Delaware,	Mr. Patten	ay	
	Mr. Rodney	no	
Maryland,	Mr. Hindman	no	} no
	Mr. Harrison	no	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	
North-Carolina,	Mr. Blount	no	} no
	Mr. Bloodworth	no	
	Mr. White	no	
South-Carolina,	Mr. Pinckney	no	} no
	Mr. Kean	no	
Georgia,	Mr. Houstoun	no	} no
	Mr. Few	no	

So the question was lost.

Congress

Congress proceeded to the election, but no choice being made,

Ordered, That the order of the day for electing a minister plenipotentiary to the United Netherlands, be postponed.

A letter of this day from the honorable James Monroe was read, informing "that some circumstances will put it out of his power to act as a judge for the decision of the controversy between the states of Massachusetts and New-York, and therefore he presents his resignation to Congress."

TUESDAY, May 16, 1786.

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina and Georgia; and from New-Hampshire Mr. Long, from Rhode-Island Mr. Manning, and from South-Carolina Mr. Pinckney.

WEDNESDAY, May 17, 1786.

Congress assembled--Present as yesterday.

A motion was made by Mr. Pinckney, seconded by Mr. Grayson,

That after the first of July next, the salaries of the commissioners for settling the accounts between the United States and individual states, be dollars per annum, and that no more than one commissioner shall be allowed in any state.

A motion was made by Mr. Mitchell, seconded by Mr. Johnson, to amend the motion, by inserting after "annum" the words following, "and that the said commissioners be elected annually:"

And on the question to agree to this amendment, the yeas and nays being required by Mr. Mitchell:

New-Hampshire,	Mr. Long	ay	} * no no } no no } ay) *
Massachusetts,	Mr. Gorham	no	
	Mr. King	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	ay	

Connecticut,	Mr. Johnson	ay	} ay
	Mr. Mitchell	ay	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Symmes	no	} no
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
	Mr. St. Clair	no	
	Mr. Wilson	no	
Delaware,	Mr. Patten	no	} no
	Mr. Rodney	no	
Maryland,	Mr. Hindman	no	} no
	Mr. Harrison	no	
Virginia,	Mr. Grayson	ay	} divided
	Mr. Monroe	no	
North-Carolina,	Mr. Bloodworth	no	} no
	Mr. White	no	
South-Carolina,	Mr. Pinckney	no	} *
Georgia,	Mr. Houston	no	
	Mr. Few	no	} no

So it passed in the negative.

The blank in the motion being filled with twelve hundred and fifty, and a division called for,

On the question,

Resolved, That after the first of July next, the salaries of the commissioners for settling the accounts between the United States and individual states, be twelve hundred and fifty dollars per annum:

Ordered, That the remainder of the motion be postponed.

Congress took into consideration a treaty of amity and commerce between his majesty the king of Prussia and the United States of America, and adopted and ratified the same, nine states being present, in the manner following:

The United States of America, in Congress assembled:

To all to whom these presents shall come Greeting:

WHEREAS a treaty of amity and commerce, between his majesty the king of Prussia, and the United States of America, was concluded and signed by the plenipotentiaries of the said United States, and by the plenipotentiary of his
said

said majesty, duly and respectively authorised for that purpose, at the places of their respective residence, and at the dates expressed under their several signatures, which said treaty, written both in the American and French languages, is (in the American) in the words following, to wit,

A TREATY of AMITY and COMMERCE between his Majesty the King of Prussia, and the United States of America.

HIS majesty the king of Prussia, and the United States of America, desiring to fix, in a permanent and equitable manner, the rules to be observed in the intercourse and commerce they desire to establish between their respective countries, his majesty and the United States have judged that the said end cannot be better obtained than by taking the most perfect equality and reciprocity for the basis of their agreement.

With this view his majesty the king of Prussia has nominated and constituted as his plenipotentiary, the baron Frederick William de Thulemeier, his privy counsellor of embassy, and envoy extraordinary, with their high mightinesses the states general of the United Netherlands, and the United States, have on their part, given full powers to John Adams, esquire, late one of their ministers plenipotentiary for negotiating a peace, heretofore a delegate in Congress from the state of Massachusetts, and chief justice of the same, and now minister plenipotentiary of the United States with his Britannic majesty; doctor Benjamin Franklin, late minister plenipotentiary at the court of Versailles, and another of their ministers plenipotentiary for negotiating a peace; and Thomas Jefferson, heretofore a delegate in Congress, from the state of Virginia, and governor of the said state, and now minister plenipotentiary of the United States at the court of his most christian majesty, which respective plenipotentiaries, after having exchanged their full powers, and on mature deliberation, have concluded, settled and signed the following articles:

Art. i. There shall be a firm, inviolable and universal peace and sincere friendship between his majesty the king of Prussia, his heirs, successors and subjects, on the one part,

and

and the United States of America, and their citizens on the other, without exceptions of persons or places.

Art. 2. The subjects of his majesty the king of Prussia, may frequent all the coasts and countries of the United States of America, and reside and trade there in all sorts of produce, manufactures and merchandise; and shall pay within the said United States no other or greater duties, charges or fees whatsoever than the most favored nations are or shall be obliged to pay; and they shall enjoy all the rights, privileges and exemptions in navigation and commerce, which the most favoured nation does or shall enjoy; submitting themselves, nevertheless to the laws and usages there established, and to which are submitted the citizens of the United States, and the citizens and subjects of the most favored nations.

Art. 3. In like manner the citizens of the United States of America may frequent all the coasts and countries of his majesty the king of Prussia, and reside and trade there in all sorts of produce, manufactures and merchandise, and shall pay in the dominions of his said majesty, no other or greater duties, charges or fees whatsoever, than the most favored nation is or shall be obliged to pay; and they shall enjoy all the rights, privileges and exemptions in navigation and commerce which the most favored nation does or shall enjoy; submitting themselves nevertheless to the laws and usages there established, and to which are submitted the subjects of his majesty the king of Prussia, and the subjects and citizens of the most favored nations.

Art. 4. More especially each party shall have a right to carry their own produce, manufactures and merchandise, in their own or any other vessels to any parts of the dominions of the other, where it shall be lawful for all the subjects or citizens of that other, freely to purchase them; and thence to take the produce, manufactures and merchandise of the other, which all the said citizens or subjects shall in like manner be free to sell them, paying in both cases such duties, charges and fees only, as are or shall be paid by the most favored nation. Nevertheless the king of Prussia and the United States, and each of them, reserve to themselves the right where any nation restrains the transportation of merchandise to the vessels of the country of which it is the growth or manufacture, to establish against such nation re-

taliating

taliating regulations; and also the right to prohibit, in their respective countries, the importation and exportation of all merchandise whatsoever, when reasons of state shall require it. In this case the subjects or citizens of either of the contracting parties shall not import nor export the merchandise prohibited by the other; but if one of the contracting parties permits any other nation to import or export the same merchandise, the citizens or subjects of the other shall immediately enjoy the same liberty.

Art. 5. The merchants, commanders of vessels, or other subjects or citizens of either party, shall not, within the ports or jurisdiction of the other, be forced to unload any sort of merchandise into any other vessels, nor to receive them into their own, nor to wait for their being loaded longer than they please.

Art. 6. That the vessels of either party loading within the ports or jurisdiction of the other, may not be uselessly harassed or detained, it is agreed that all examinations of goods required by the laws, shall be made before they are laden on board the vessel, and that there shall be no examination after; nor shall the vessel be searched at any time, unless articles shall have been laden therein clandestinely and illegally, in which case the person by whose order they were carried on board, or who carried them without order, shall be liable to the laws of the land in which he is, but no other person shall be molested, nor shall any other goods, nor the vessel be seized or detained for that cause.

Art. 7. Each party shall endeavour, by all the means in their power, to protect and defend all vessels and other effects belonging to the citizens or subjects of the other, which shall be within the extent of their jurisdiction, by sea or by land; and shall use all their efforts to recover, and cause to be restored to their right owners, their vessels and effects which shall be taken from them within the extent of their said jurisdiction.

Art. 8. The vessels of the subjects or citizens of either party, coming on any coast belonging to the other, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes or break bulk, shall have liberty to depart and to pursue their voyage without molestation and without being obliged to ren-

der account of their cargo, or to pay any duties, charges or fees whatsoever, except those established for vessels entered into port, and appropriated to the maintenance of the port itself, or of other establishments for the safety and convenience of navigators, which duties, charges and fees shall be the same, and shall be paid on the same footing as in the case of subjects or citizens of the country where they are established.

Art. 9. When any vessel of either party shall be wrecked, foundered, or otherwise damaged on the coasts, or within the dominion of the other, their respective subjects or citizens, shall receive, as well for themselves as for their vessels and effects, the same assistance which would be due to the inhabitants of the country where the damage happens, and shall pay the same charges and dues only as the said inhabitants would be subject to pay in a like case; and if the operations of repair shall require that the whole or any part of their cargo be unladed, they shall pay no duties, charges or fees on the part which they shall relade and carry away. The ancient and barbarous right to wrecks of the sea shall be entirely abolished, with respect to the subjects or citizens of the two contracting parties.

Art. 10. The citizens or subjects of each party shall have power to dispose of their personal goods within the jurisdiction of the other, by testament, donation or otherwise; and their representatives, being subjects or citizens of the other party, shall succeed to their said personal goods; whether by testament or *ab intestato*, and may take possession thereof, either by themselves or by others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein the said goods are, shall be subject to pay in like cases; and in case of the absence of the representative, such care shall be taken of the said goods, and for so long a time as would be taken of the goods of a native in like case, until the lawful owner may take measures for receiving them. And if question shall arise among several claimants, to which of them the said goods belong, the same shall be decided finally by the laws and judges of the land wherein the said goods are. And where, on the death of any person holding real estate within the territories of the one party, such real estate would by the laws of the land descend on a citi-

zen or subject of the other, were he not disqualified by alienage, such subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation, and exempt from all rights of detraction on the part of the government of the respective states. But this article shall not derogate in any manner from the force of the laws already published or hereafter to be published, by his majesty the king of Prussia, to prevent the emigration of his subjects.

Art. 11. The most perfect freedom of conscience and of worship, is granted to the citizens or subjects of either party, within the jurisdiction of the other, without being liable to molestation in that respect, for any cause other than an insult on the religion of others. Moreover when the subjects or citizens of the one party, shall die within the jurisdiction of the other, their bodies shall be buried in the usual burying grounds, or other decent and suitable places, and shall be protected from violation or disturbance.

Art. 12. If one of the contracting parties should be engaged in war with any other power, the free intercourse and commerce of the subjects or citizens of the party remaining neuter with the belligerent powers, shall not be interrupted. On the contrary, in that case as in full peace, the vessels of the neutral party may navigate freely to and from the ports and on the coasts of the belligerent parties, free vessels making free goods, insomuch that all things shall be adjudged free which shall be on board any vessel belonging to the neutral party, although such things belong to an enemy of the other; and the same freedom shall be extended to persons who shall be on board a free vessel, although they should be enemies to the other party, unless they be soldiers in actual service of such enemy.

Art. 13. And in the same case of one of the contracting parties being engaged in war with any other power, to prevent all the difficulties and misunderstandings that usually arise respecting the merchandise heretofore called contraband, such as arms, ammunition and military stores of every kind, no such articles carried in the vessels, or by the subjects or citizens of one of the parties to the enemies of the other, shall be deemed contraband, so as to induce confiscation or condemnation and a loss of property to individuals. Nevertheless it shall be lawful to stop such vessels
and

and articles, and to detain them for such length of time as the captors may think necessary to prevent the inconvenience or damage that might ensue from their proceeding, paying however a reasonable compensation for the loss such arrest shall occasion to the proprietors: And it shall further be allowed to use in the service of the captors, the whole or any part of the military stores so detained, paying the owners the full value of the same, to be ascertained by the current price at the place of its destination. But in the case supposed, of a vessel stopped for articles heretofore deemed contraband, if the master of the vessel stopped will deliver out the goods supposed to be of contraband nature, he shall be admitted to do it, and the vessel shall not in that case be carried into any port, nor further detained, but shall be allowed to proceed on her voyage.

Art. 14. And in the same case where one of the parties is engaged in war with another power, that the vessels of the neutral party may be readily and certainly known, it is agreed, that they shall be provided with sea-letters, or passports, which shall express the name, the property and burthen of the vessel, as also the name and dwelling of the master, which passports shall be made out in good and due forms (to be settled by conventions between the parties whenever occasion shall require) shall be renewed as often as the vessel shall return into port; and shall be exhibited whensoever required, as well in the open sea as in port. But if the said vessel be under convoy of one or more vessels of war, belonging to the neutral party, the simple declaration of the officer commanding the convoy, that the said vessel belongs to the party of which he is, shall be considered as establishing the fact, and shall relieve both parties from the trouble of further examination.

Art. 15. And to prevent entirely all disorder and violence in such cases, it is stipulated, that when the vessels of the neutral party, sailing without convoy, shall be met by any vessel of war, public or private, of the other party, such vessel of war shall not approach within cannon shot of the said neutral vessel, nor send more than two or three men in their boat on board the same, to examine her sea-letters or passports. And all persons belonging to any vessel of war, public or private, who shall molest, or injure, in any manner whatever, the people, vessels or effects of
the

the other party, shall be responsible in their persons and property for damages and interest, sufficient security for which shall be given by all commanders of private armed vessels before they are commissioned.

Art. 16. It is agreed that the subjects or citizens of each of the contracting parties, their vessels and effects, shall not be liable to any embargo or detention on the part of the other, for any military expedition, or other public or private purpose whatsoever. And in all cases of seizure, detention or arrest, for debts contracted or offences committed by any citizen or subject of the one party, within the jurisdiction of the other, the same shall be made and prosecuted by order and authority of law only, and according to the regular course of proceedings usual in such cases.

Art. 17. If any vessel or effects of the neutral power be taken by an enemy of the other, or by a pirate, and retaken by that other, they shall be brought into some port of one of the parties, and delivered into the custody of the officers of that port, in order to be restored entire to the true proprietor as soon as due proof shall be made concerning the property thereof.

Art. 18. If the citizens or subjects of either party, in danger from tempests, pirates, enemies or other accident, shall take refuge with their vessels or effects, within the harbours or jurisdiction of the other, they shall be received, protected and treated with humanity and kindness, and shall be permitted to furnish themselves, at reasonable prices, with all refreshments, provisions and other things necessary for their sustenance, health and accommodation, and for the repair of their vessels.

Art. 19. The vessels of war, public and private, of both parties, shall carry freely wheresoever they please, the vessels and effects taken from their enemies, without being obliged to pay any duties, charges or fees to officers of admiralty, of the customs or any others, nor shall such prizes be arrested, searched or put under legal process when they come to, and enter the ports of the other party, but may freely be carried out again at any time by their captors to the places expressed in their commissions, which the commanding officer of such vessels shall be obliged to shew. But no vessel which shall have made prizes on the subjects of his most christian majesty the king of France, shall have a right of asylum in the ports or havens of the said United

ed States; and if any such be forced therein by tempest or dangers of the sea, they shall be obliged to depart as soon as possible, according to the tenor of the treaties existing between his said most christian majesty and the said United States.

Art. 20. No citizen or subject of either of the contracting parties shall take from any power with which the other may be at war, any commission or letter of marque for arming any vessel to act as a privateer against the other, on pain of being punished as a pirate; nor shall either party hire, lend, or give any part of their naval or military force to the enemy of the other, to aid them offensively or defensively against that other.

Art. 21. If the two contracting parties should be engaged in war against a common enemy, the following points shall be observed between them.

1st. If a vessel of one of the parties, retaken by a privateer of the other, shall not have been in possession of the enemy more than twenty-four hours, she shall be restored to the first owner for one third of the value of the vessel and cargo; but if she shall have been more than twenty-four hours in possession of the enemy, she shall belong wholly to the recaptor. 2d. If in the same case the recapture were by a public vessel of war of the one party, restitution shall be made to the owner for one thirtieth part of the value of the vessel and cargo, if she shall not have been in the possession of the enemy more than twenty-four hours, and one tenth of the said value where she shall have been longer, which sums shall be distributed in gratuities to the recaptors. 3d. The restitution in the cases aforesaid, shall be after due proof of property, and surety given for the part to which the recaptors are entitled. 4th. The vessels of war, public and private, of the two parties, shall be reciprocally admitted with their prizes into the respective ports of each: but the said prizes shall not be discharged nor sold there, until their legality shall have been decided according to the laws and regulations of the states to which the captor belongs, but by the judicatures of the place into which the prize shall have been conducted. 5th. It shall be free to each party to make such regulations as they shall judge necessary for the conduct of their respective vessels of war, public and private, relative to the vessels which they shall take and carry into the ports of the two parties. *Art.*

Art. 22. Where the parties shall have a common enemy, or shall both be neutral, the vessels of war of each shall upon all occasions take under their protection the vessels of the other going the same course, and shall defend such vessels as long as they hold the same course, against all force and violence, in the same manner as they ought to protect and defend vessels belonging to the party of which they are.

Art. 23. If war should arise between the two contracting parties, the merchants of either country, then residing in the other, shall be allowed to remain nine months to collect their debts and settle their affairs, and may depart freely, carrying off all their effects, without molestation or hindrance: And all women and children, scholars of every faculty, cultivators of the earth, artizans, manufacturers and fishermen unarmed and inhabiting unfortified towns, villages or places, and in general all others whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, and shall not be molested in their persons, nor shall their houses or goods be burnt, or otherwise destroyed, nor their fields wasted by the armed force of the enemy, into whose power, by the events of war, they may happen to fall; but if any thing is necessary to be taken from them for the use of such armed force, the same shall be paid for at a reasonable price. And all merchant and trading vessels employed in exchanging the products of different places, and thereby rendering the necessaries, conveniencies and comforts of human life more easy to be obtained, and more general, shall be allowed to pass free and unmolested, and neither of the contracting powers shall grant or issue any commission to any private armed vessels empowering them to take or destroy such trading vessels, or interrupt such commerce.

Art. 24. And to prevent the destruction of prisoners of war, by sending them into distant and inclement countries, or by crowding them into close and noxious places, the two contracting parties solemnly pledge themselves to each other, and to the world, that they will not adopt any such practice; that neither will send the prisoners whom they may take from the other into the East-Indies, or any other parts of Asia or Africa, but that they shall be placed

in some part of their dominions in Europe or America, in wholesome situations, that they shall not be confined in dungeons, prison-ships, nor prisons, nor be put into irons, nor bound, nor otherwise restrained in the use of their limbs; that the officers shall be enlarged on their paroles within convenient districts, and have comfortable quarters, and the common men be disposed in cantonments, open and extensive enough for air and exercise, and lodged in barracks as roomy and good as are provided by the party in whose power they are for their own troops; that the officers shall also be daily furnished by the party in whose power they are, with as many rations; and of the same articles and quality, as are allowed by them, either in kind or by commutation, to officers of equal rank in their own army; and all others shall be daily furnished by them with such ration as they allow to a common soldier in their own service; the value whereof shall be paid by the other party on a mutual adjustment of accounts for the subsistence of prisoners at the close of the war; and the said accounts shall not be mingled with, or set off against any others, nor the balances due on them, be withheld as a satisfaction or reprisal for any other article, or for any other cause, real or pretended, whatever; that each party shall be allowed to keep a commissary of prisoners of their own appointment, with every separate cantonment of prisoners in possession of the other, which commissary shall see the prisoners as often as he pleases, shall be allowed to receive and distribute whatever comforts may be sent to them by their friends, and shall be free to make his reports in open letters to those who employ him; but if any officer shall break his parole, or any other prisoner shall escape from the limits of his cantonment, after they shall have been designated to him, such individual officer or other prisoner, shall forfeit so much of the benefit of this article as provides for his enlargement on parole or cantonment. And it is declared, that neither the pretence that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending this and the next preceding article, but on the contrary, that the state of war is precisely that for which they are provided, and during which they are to be as sacredly observed as the most acknowledged articles in the law of nature or nations.

Art. 25. The two contracting parties grant to each other the liberty of having each in the ports of the other, consuls, vice-consuls, agents and commissaries of their own appointment, whose functions shall be regulated by particular agreement whenever either party shall chuse to make such appointment; but if any such consuls shall exercise commerce, they shall be submitted to the same laws and usages to which the private individuals of their nation are submitted in the same place.

Art. 26. If either party shall hereafter grant to any other nation, any particular favour in navigation or commerce, it shall immediately become common to the other party, freely, where it is freely granted, to such other nation, or on yielding the compensation where such nation does the same.

Art. 27. His majesty the King of Prussia, and the United States of America, agree that this treaty shall be in force during the term of ten years from the exchange of ratifications, and if the expiration of that term should happen during the course of a war between them, then the articles before provided for the regulation of their conduct during such a war, shall continue in force until the conclusion of the treaty which shall re-establish peace; and that this treaty shall be ratified on both sides, and the ratifications exchanged within one year from the day of its signature.

In testimony whereof, the plenipotentiaries before mentioned, have hereto subscribed their names and affixed their seals, at the places of their respective residence, and at the dates expressed under their several signatures.

F. G. de Thulemeier, à la Hage le 10 Septembre,
1785. (L. S.)

(L. S.)
Tho. Jefferson.
Paris, July 28,
1785.

(L. S.)
B. Franklin.
Passy, July 9,
1785.

(L. S.)
John Adams.
London, August 5,
1785.

NOW KNOW YE, That we the said United States in Congress assembled, having considered and approved, do hereby ratify and confirm the said treaty, and every article and clause therein contained. In testimony whereof, we have caused

caused our seal to be hereunto affixed. Witness the hon. Nathaniel Gorham, our chairman in the absence of his excellency John Hancock, our president, the seventeenth day of May, in the year of our Lord one thousand seven hundred and eighty-six, and of our independence and sovereignty, the tenth.

On the question to agree to this ratification, the yeas and nays being required by Mr. King:

New-Hampshire,	Mr. Long	ay) *
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Dane	ay	
	Mr. Manning	ay	
Rhode-Island,	Mr. Johnson	ay	} ay
Connecticut,	Mr. Mitchell	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
	Mr. St. Clair	ay	
	Mr. Wilson	ay	
Delaware,	Mr. Patten	ay	} ay
	Mr. Rodney	ay	
Maryland,	Mr. Hindman	ay	} ay
	Mr. Harrifon	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Blount	ay	} ay
	Mr. Bloodworth	ay	
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay) *
Georgia,	Mr. Few	ay) *

So it was unanimously resolved in the affirmative.

THURSDAY, May 18, 1786.

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia,

Georgia; and from New-Hampshire, Mr. Long, from Rhode-Island Mr. Manning.

On motion, and at the request of the states of South-Carolina and Georgia,

Resolved, That further day be given; and that the first Monday in September next be assigned for the appearance of the said states by their lawful agents.

F R I D A Y, May 19, 1786.

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina and Georgia; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, and from South-Carolina, Mr. Pinckney.

Congress took into consideration the report of a committee, consisting of Mr. St. Clair, Mr. Lee and Mr. Lawrence, to whom was referred a report of the secretary at war, on the articles of war and courts martial; and the following paragraph being under debate:

“That all persons belonging to the forces of the United States, called to give evidence in any cause before a court-martial, who shall refuse to give evidence, shall be punished for such refusal at the discretion of such court-martial.”

A motion was made by Mr. Pinckney, seconded by Mr. Bayard, to strike out the words “belonging to the forces of the United States;” and on the question shall those words stand, the yeas and nays being required by Mr. King:

New-Hampshire,	Mr. Long	ay	}	*
Massachusetts,	Mr. Gorham	ay		
	Mr. King	ay	}	ay
	Mr. Dane	ay		
Rhode-Island,	Mr. Manning	ay	}	*
Connecticut,	Mr. Johnson	no		
	Mr. Mitchell	ay	}	divided
New-York,	Mr. Haring	ay		
	Mr. Smith	ay	}	ay
New-Jersey,	Mr. Symmes	ay		
	Mr. Hornblower	ay	}	ay

Pennsylvania,

Pennsylvania,	Mr. Bayard	no	}	no
	Mr. Wilfon	no		
	Mr. St. Clair	no		
Delaware,	Mr. Patten	no	}	no
	Mr. Rodney	no		
Maryland,	Mr. Hindman	no	}	no
	Mr. Harrison	no		
Virginia,	Mr. Grayson	no)	*
North-Carolina,	Mr. Bloodworth	ay	{	ay
	Mr. White	ay		
South-Carolina,	Mr. Pinckney	no)	*
Georgia,	Mr. Few	ay)	*

So the question was lost, and the words were struck out.

M O N D A Y, May 22, 1786.

Congress assembled--Present Massachusetts, Connecticut, New-York, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, and from New-Jersey, Mr. Hornblower.

A letter of the 16th from Caleb Harris, was read, informing, that "an infirm state of health, and a multiplicity of business, render it necessary for him to resign the appointment of surveyor of the western territory for the state of Rhode-Island; whereupon,

Resolved, That the resignation of Caleb Harris be accepted, and that this day be assigned for the election of a surveyor for the state of Rhode-Island, in the room of Caleb Harris, resigned.

Congress proceeded to an election, and the ballots being taken,

Ebenezer Sproat was elected, having been previously nominated by Mr. Manning.

A motion was made by Mr. Houstoun, seconded by Mr. St. Clair,

That Wednesday next be appointed for the reconsideration of the ordinance passed the 20th May, 1785, and the resolve of the 9th of the present month, for carrying the same into effect.

And

And on the question to agree to this motion, the yeas and nays being required by Mr. Houstoun :

New-Hampshire,	Mr. Long	no)*
Massachusetts,	Mr. Gorham,	no	} no
	Mr. King,	no	
	Mr. Dane,	no	
	Mr. Johnson	no	
Connecticut,	Mr. Mitchell	no	} no
New-York,	Mr. Haring	no	
	Mr. Smith	no	
	Mr. Hornblower	no	
New-Jersey, Pennsylvania,	Mr. Pettit,	ay	} ay
	Mr. St. Clair	ay	
	Mr. Wilson	ay	
	Mr. Hindman	no	
Maryland,	Mr. Harrison	no	} no
Virginia,	Mr. Grayson	ay	
	Mr. Monroe	ay	
	Mr. Blount,	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
	Mr. Pinckney	ay	
South-Carolina,	Mr. Kean	no	} divided
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	

So the question was lost.

Congress resumed the consideration of the report of the committee, consisting of Mr. Johnson, Mr. Hindman, Mr. Grayson, Mr. Ramsay and Mr. Livermore, to whom was referred a motion of the delegates of the state of Connecticut, relative to a cession of part of that state's claim to western territory ; and which report is in the words following :

"That Congress, in behalf of the United States, are ready to accept all the right, title, interest and claim of the state of Connecticut, to certain western lands described in the form of a deed of cession, in the following words, to wit,--(Here insert the deed,)

tendered to Congress by the delegates of the said state, in pursuance of full powers given them for that purpose, whenever the said delegates shall execute the said deed."

A motion was made by Mr. St. Clair, seconded by Mr. Wilton, to add thereto as follows:

Provided that nothing herein contained shall be construed or understood to affect the decree of the court of commissioners, holden at Trenton, on the 12th day of November, A. D. 1782 ;” and on the question to agree to this amendment, the yeas and nays being required by Mr. St. Clair:

Massachusetts,	Mr. Gorham	ay	}	no
	Mr. King	no		
	Mr. Dane	no		
Rhode-Island,	Mr. Manning	no	}	*
Connecticut,	Mr. Johnson	ay		
	Mr. Mitchell	ay		
New-York,	Mr. Haring	no	}	no
	Mr. Smith	no		
	Mr. Hornblower	no		
New-Jersey,	Mr. Pettit	ay	}	ay
Pennsylvania,	Mr. Bayard	ay		
	Mr. St. Clair	ay		
	Mr. Wilton	ay	}	no
Maryland,	Mr. Hindman,	no		
	Mr. Harrison	no		
Virginia,	Mr. Grayson	no	}	no
	Mr. Monroe	no		
	Mr. Blount	no		
North-Carolina,	Mr. Bloodworth	no	}	no
	Mr. White	no		
	Mr. Pinckney	no		
South-Carolina,	Mr. Kean	no	}	no
	Mr. Houstoun	no		
Georgia,	Mr. Few	no		

So it passed in the negative.

T U E S D A Y, May 23, 1786.

Six states only attended, namely, Massachusetts, Connecticut, Pennsylvania, Maryland, North-Carolina and Georgia: and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from New-York, Mr. Smith, from New-Jersey, Mr. Hornblower; and from South-Ca-

rolina,

rolina, Mr. Pinckney, the chairman adjourned Congress till to-morrow at ten o'clock.

W E D N E S D A Y, *May 24, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, and from New-Jersey, Mr. Hornblower.

Congress resumed the consideration of the report of the Committee to whom was referred a motion of the delegates of the state of Connecticut, relative to a cession of part of that state's claim to western territory.

A motion was made by Mr. Wilson, seconded by Mr. St. Clair; that the report be postpone in order to take up the following resolution:

“ That the United States cannot accept the cession of the claim of the state of Connecticut to western territory, tendered to Congress by the delegates of that state, because the acceptance of that cession in its present form, might be construed to imply the approbation of Congress, of claims not ceded, and it would be improper for Congress to express any opinion, either directly or indirectly, on this subject. But since the great object of Congress, in recommending to the state of Connecticut, and to other states, to make cessions of their claims to western territory, has been to establish and secure the tranquility of the United States, and of every state in the Union that might be affected by such claims or cessions; *Resolved*, in order to obtain that great object on the present occasion, that when the state of Connecticut shall cede and release to the United States, and to the states of New-York and Pennsylvania, respectively, all the claim of the said state of Connecticut, to jurisdiction and property of territory westward of the eastern boundary of the state of New-York, the United States in Congress assembled will thereupon grant, release and confirm to the state of Connecticut, the property, but not the jurisdiction of the territory and tract of land described as follows that is to say, beginning at the end of the forty-first degree of north latitude, one hundred and twenty miles westward of the western boundary line of the com-
monwealth

monwealth of Pennsylvania, as now claimed by the said commonwealth, thence north to the end of the forty-second degree of north latitude, thence east to the aforementioned boundary line of Pennsylvania, thence south to the end of the forty-first degree of north latitude, thence west to the place of beginning."

On the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Wilson:

New-Hampshire,	Mr. Long	no) *
Massachusetts,	Mr. Gorham	ay	
	Mr. King	no	} no
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	no) *
Connecticut,	Mr. Johnson	ay	
	Mr. Mitchell	ay	} ay
New-York,	Mr. Haring	no	
	Mr. Smith	ay	} divided
New-Jersey,	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit,	ay) *
	Mr. Bayard	ay	
	Mr. St. Clair	ay	} ay
	Mr. Wilson	ay	
Maryland,	Mr. Hindman	no	} no
	Mr. Harrison	no	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
North-Carolina,	Mr. Blount,	no	} no
	Mr. Bloodworth	no	
	Mr. White	no	} ay
South-Carolina,	Mr. Pinckney	ay	
	Mr. Kean	ay	} ay
Georgia,	Mr. Houston	no	
	Mr. Few	ay	} divided

So the question was lost.

A motion was then made by Mr. Pettit, seconded by Mr. Hornblower, to postpone the report of the committee in order to take into consideration the following:

"That the acceptance by the United States of any cession heretofore made, or which shall hereafter be made, by any state, of the claims of such state to western territory, ought not, nor shall be construed nor understood as confirming

ing, or in any wise strengthening the claim of such state to any such territory not ceded."

And on the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Pettit:

New-Hampshire,	Mr. Long	ay	}	*
Massachusetts,	Mr. Gorham	no		
	Mr. King	no	}	no
	Mr. Dane	no		
Rhode-Island,	Mr. Manning	ay	}	*
Connecticut,	Mr. Johnson	no		
	Mr. Mitchell	no	}	no
New-York,	Mr. Haring	ay		
	Mr. Smith	no	}	divided
New-Jersey,	Mr. Hornblower	ay		
Pennsylvania,	Mr. Pettit	ay	}	ay
	Mr. Bayard	ay		
	Mr. St. Clair	ay		
	Mr. Wilson	ay		
Maryland,	Mr. Hindman,	ay	}	ay
	Mr. Harrifon	ay		
Virginia,	Mr. Grayson	no	}	no
	Mr. Monroe	no		
North-Carolina,	Mr. Blount	no	}	no
	Mr. Bloodworth	no		
	Mr. White	ay		
South-Carolina,	Mr. Pinckney	no	}	no
	Mr. Kean	no		
Georgia,	Mr. Houstoun	no	}	no
	Mr. Few	no		

So the question was lost.

A motion was then made by Mr. Pinckney, seconded by Mr. St Clair, to amend the report by adding,

Provided that the acceptance of the said cession shall in no degree be construed to affect the claims of any state or states to any territory which has or shall be ascertained by the decree of a federal court, to be within the territory or jurisdiction of any state or states, or to injure the claims of the United States, under acts of cession from any individual state.

A division of the amendment was called for; and on the question to agree to the first clause, as far as the words "jurisdiction"

“jurisdiction of any state or states,” inclusive, the yeas and nays being required by Mr. Wilson :

New-Hampshire,	Mr. Long	no) *
Massachusetts,	Mr. Gorham	ay } no
	Mr. King	no } no
	Mr. Dane	no } *
Rhode-Island,	Mr. Manning	no) *
Connecticut,	Mr. Johnson	ay } ay
	Mr. Mitchell	ay } ay
New-York,	Mr. Haring	ay } ay
	Mr. Smith	ay } ay
New-Jersey,	Mr. Hornblower	no) *
Pennsylvania,	Mr. Pettit	ay } ay
	Mr. Bayard	ay } ay
	Mr. St. Clair	ay } ay
	Mr. Wilson	ay } ay
Maryland,	Mr. Hindman	no } no
	Mr. Harrison	no } no
Virginia,	Mr. Grayson	ay } ay
	Mr. Monroe	ay } ay
North-Carolina,	Mr. Blount	ay } ay
	Mr. Bloodworth	ay } ay
	Mr. White	no } ay
South-Carolina,	Mr. Pinckney	ay } ay
	Mr. Kean	ay } ay
Georgia,	Mr. Houston	ay } ay
	Mr. Few	ay } ay

So it was resolved in the affirmative.

On the question to agree to the latter clause, the yeas and nays being required by Mr. Smith :

New-Hampshire,	Mr. Long	ay) *
Massachusetts,	Mr. Gorham	no } no
	Mr. King	no } no
	Mr. Dane	no } *
Rhode-Island,	Mr. Manning	ay) *
Connecticut,	Mr. Johnson	no } no
	Mr. Mitchell	no } no
New-York,	Mr. Haring	ay } ay
	Mr. Smith	ay } ay
New-Jersey,	Mr. Hornblower	ay) *
		Pennsylvania,

Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
	Mr. St. Clair	no	
	Mr. Wilfon	no	
Maryland,	Mr. Hindman	ay	} ay
	Mr. Harrifon	ay	
Virginia,	Mr. Grayfon	ay	} ay
	Mr. Monroe	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Kean	ay	
Georgia,	Mr. Houftoun	ay	} divided
	Mr. Few	no	

So the question was loft.

The report being further amended,
Adjourned to 11 o'clock to-morrow.

T H U R S D A Y, May 25, 1786.

Congrefs affembled--Prefent as yesterday.

Congrefs refumed the confideration of the report under debate yesterday, and which was amended to read as follows :

That Congrefs, in behalf of the United States, are ready to accept all the right, title, interest, jurifdiction and claim of the ftate of Connecticut to certain western lands, beginning at the completion of the forty-first degree of north latitude, one hundred and twenty miles westward of the western boundary line of the commonwealth of Pennsylvania, as now claimed by the faid commonwealth, and from thence a line to be drawn north, parallel to, and one hundred and twenty miles westward of the faid west line of Pennsylvania, and to continue north until it comes to forty-two degrees and two minutes north latitude, whenever the delegates of Connecticut fhall be furnished with full powers, and fhall execute a deed for that purpose ; provided that the acceptance of the faid cession fhall in no degree be construed to affect the claims of any ftate or ftates, to any territory which has been or fhall be afcertained by the decree

decree of a federal court, to be within the territory or jurisdiction of any state or states.

A motion was made by Mr. Dane, seconded by Mr. King, to postpone the report as amended, to take up the following :

That Congress, in behalf of the United States, are ready to accept all the right, title, interest, jurisdiction and claim of the state of Connecticut, to certain western lands westward of the following line, that is to say, beginning at the completion of the forty-first degree of north latitude, one hundred and twenty miles westward of the western boundary line of the commonwealth of Pennsylvania, as now claimed by the said commonwealth, and from thence a line to be drawn northerly, parallel to, and one hundred and twenty miles westward of the said west line of Pennsylvania, and to continue northerly until it comes to the latitude of the boundary line between the states of Connecticut and Massachusetts, and will accept a deed of cession thereof from the delegates of the said state of Connecticut, whenever they shall tender the same duly executed.

On the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. King :

New-Hampshire,	Mr. Long	ay)	*
Massachusetts,	Mr. Gorham	ay		
	Mr. King	ay	}	ay
	Mr. Dane	ay		
Rhode-Island,	Mr. Manning	ay)	*
Connecticut,	Excused from voting.			
New-York,	Mr. Haring	ay	}	divided
	Mr. Smith	no		
New-Jersey,	Mr. Hornblower	ay)	*
Pennsylvania,	Mr. Pettit	no		
	Mr. Bayard	no	}	no
	Mr. Wilson	no		
	Mr. St. Clair	no		
Maryland,	Mr. Hindman	no	}	no
	Mr. Harrison	no		
Virginia,	Mr. Grayson	no	}	no
	Mr. Monroe	no		
	Mr. Carrington	no	}	no

North-

North-Carolina,	Mr. Blount	no	}	no
	Mr. Bloodworth	no		
	Mr. White	no		
South-Carolina,	Mr. Pinckney	no	}	no
	Mr. Kean	no		
Georgia,	Mr. Houstoun	ay	}	ay
	Mr. Few	ay		

So the question was lost.

The question being then taken on the report as amended, was lost.

F R I D A Y, May 26, 1786.

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, North-Carolina, and Georgia; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from Virginia, Mr. Grayson, and from South-Carolina, Mr. Pinckney.

On motion of Mr. Johnson, seconded by Mr. Mitchell:
Resolved, That Congress, in behalf of the United States, are ready to accept all the right, title, interest, jurisdiction and claim of the state of Connecticut to certain western lands, beginning at the completion of the forty-first degree of north latitude, one hundred and twenty miles west of the western boundary line of the commonwealth of Pennsylvania, as now claimed by the said commonwealth, and from thence by a line to be drawn north parallel to, and one hundred and twenty miles west of the said west line of Pennsylvania, and to continue north-until it comes to forty-two degrees two minutes north latitude, whenever the delegates of Connecticut shall be furnished with full powers, and shall execute a deed for that purpose.

On the question to agree to the above resolution, the yeas and nays being required by Mr. Johnson:

New-Hampshire, Massachusetts,	Mr. Long,	ay	}	ay
	Mr. Gorham	ay		
	Mr. King	ay		
	Mr. Dane	ay		
Rhode-Island, Connecticut,	Mr. Manning	ay	}	ay
	Mr. Johnson	ay		
	Mr. Mitchell	ay		

New-

New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
	Mr. St. Clair	ay	
	Mr. Wilson	ay	
Maryland,	Mr. Hindman	no	} no
	Mr. Harrison	no	
Virginia,	Mr. Grayson	no	} *
North-Carolina,	Mr. Blount	ay	
	Mr. Bloodworth	ay	} ay
	Mr. White	no	
South-Carolina	Mr. Pinckney	ay	} *
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	} ay

So it was resolved in the affirmative.

M O N D A Y, May 29, 1786.

Six states only assembled, namely, Massachusetts, New-York, New-Jersey, Maryland, Virginia and North-Carolina; and from New-Hampshire, Mr. Long, from Connecticut, Mr. Mitchell, from Pennsylvania, Mr. Bayard, from South-Carolina, Mr. Pinckney, and from Georgia, Mr. Few.

T U E S D A Y, May 30, 1786.

Congress assembled--Present Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and Georgia; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from Connecticut, Mr. Mitchell, and from South-Carolina, Mr. Pinckney.

W E D N E S D A Y, May 31, 1786.

Congress assembled--Present Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina and Georgia; and from New-Hampshire, Mr.

Mr. Long, from Rhode-Island, Mr. Manning, and from South-Carolina, Mr. Pinckney.

Congress resumed the consideration of the report of the committee, to whom was referred a report of the secretary at war, on the articles of war and courts-martial, and thereupon came to the following resolutions:

WHEREAS crimes may be committed by officers and soldiers, serving with small detachments of the forces of the United States, and where there may not be a sufficient number of officers to hold a general court-martial, according to the rules and articles of war, in consequence of which criminals may escape punishment, to the great injury of the discipline of the troops and the public service:

Resolved, That the fourteenth section of the rules and articles for the better government of the troops of the United States, and such other articles as relate to the holding of courts-martial, and the confirmation of the sentences thereof, be, and they are hereby repealed.

Resolved, That the following rules and articles for the administration of justice, and the holding of courts-martial, and the confirmation of the sentences thereof, be duly observed, and exactly obeyed by all officers and soldiers, who are, or shall be in the armies of the United States.

ADMINISTRATION OF JUSTICE.

Article 1st. General courts-martial may consist of any number of commissioned officers from five to thirteen inclusively; but they shall not consist of less than thirteen where that number can be convened without manifest injury to the service.

Art. 2. General courts-martial shall be ordered, as often as the cases may require, by the general or officer commanding the troops. But no sentence of a court-martial shall be carried into execution until after the whole proceedings shall have been laid before the said general, or officer commanding the troops for the time being; neither shall any sentence of a general court martial in time of peace, extending to the loss of life, the dismissal of a commissioned officer, or which shall either in time of peace

or war respect a general officer, be carried into execution, until after the whole proceedings shall have been transmitted to the secretary at war, to be laid before Congress for their confirmation, or disapproval, and their orders on the case. All other sentences may be confirmed and executed by the officer ordering the court to assemble, or the commanding officer for the time being, as the case may be.

Art. 3. Every officer commanding a regiment or corps, may appoint of his own regiment or corps, courts-martial, to consist of three commissioned officers, for the trial of offences, not capital, and the inflicting corporal punishments, and decide upon their sentences. For the same purpose, all officers commanding any of the garrisons, forts, barracks, or other place where the troops consist of different corps, may assemble courts-martial, to consist of three commissioned officers, and decide upon their sentences.

Art. 4. No garrison or regimental court-martial shall have the power to try capital cases, or commissioned officers; neither shall they inflict a fine exceeding one month's pay, nor imprison, nor put to hard labor, any non-commissioned officer or soldier, for a longer time than one month.

Art. 5. The members of all courts-martial shall, when belonging to different corps, take the same rank in court which they hold in the army. But when courts-martial shall be composed of officers of one corps, they shall take rank according to the commissions by which they are mustered in the said corps.

Art. 6. The judge advocate, or some person deputed by him, or by the general, or officer commanding the army, detachment or garrison, shall prosecute in the name of the United States of America; but shall so far consider himself as council for the prisoner, after the said prisoner shall have made his plea, as to object to any leading question to any of the witnesses, or any question to the prisoner, the answer to which might tend to criminate himself; and administer to each member the following oaths, which shall also be taken by all members of regimental and garrison courts-martial.

“ You shall well and truly try and determine, according to evidence, the matter now before you, between the

“ United

“ United States of America, and the prisoner to be tried.

“ So help you God.”

“ You A. B. do swear, that you will duly administer justice, according to the rules and articles for the better government of the forces of the United States of America, without partiality, favor or affection; and if any doubt shall arise, which is not explained by said articles, according to your conscience, the best of your understanding, and the custom of war, in the like cases. And you do further swear, that you will not divulge the sentence of the court, until it shall be published by the commanding officer. Neither will you, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you God.”

And as soon as the said oaths shall have been administered to the respective members, the president of the court shall administer to the judge advocate, or person officiating as such, an oath in the following words:

“ You A. B. do swear that you will not upon any account at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness, by a court of justice, in a due course of law. So help you God.”

Art. 7. All the members of a court-martial are to behave with decency and calmness; and in giving their votes, are to begin with the youngest in commission.

Art. 8. All persons who give evidence before a court-martial, are to be examined on oath; or affirmation as the case may be, and no sentence of death shall be given against any offender by any general court-martial, unless two thirds of the members of the court shall concur therein.

Art. 9. Whenever an oath or affirmation shall be administered by a court martial, the oath or affirmation shall be in the following form:

“ You swear (or affirm, as the case may be) the evidence you shall give in the cause now in hearing, shall be the truth,

“ truth, the whole truth, and nothing but the truth.---
 “ So help you God.”

Art. 10. On the trials of cases not capital, before courts-martial, the depositions of witnesses, not in the line or staff of the army, may be taken before some justice of the peace, and read in evidence, provided the prosecutor and person accused are present at the taking the same.

Art. 11. No officer shall be tried but by a general court-martial, nor by officers of an inferior rank if it can be avoided. Nor shall any proceedings or trials be carried on, excepting between the hours of eight in the morning and three in the afternoon, except in cases which, in the opinion of the officer appointing the court, require immediate example.

Art. 12. No person whatsoever shall use menacing words, signs or gestures in the presence of a court martial; or shall cause any disorder or riot to disturb their proceedings, on the penalty of being punished at the discretion of the said court-martial.

Art. 13. No commissioned officer shall be cashiered, or dismissed from the service, excepting by order of Congress, or by the sentence of a general court-martial; and no non-commissioned officer or soldier shall be discharged the service, but by the order of Congress, the secretary at war, the commander in chief, or commanding officer of a department, or by the sentence of a general-court martial.

Art. 14. Whenever any officer shall be charged with a crime, he shall be arrested and confined to his barracks, quarters or tent, and deprived of his sword by his commanding officer. And any officer, who shall leave his confinement before he shall be set at liberty by his commanding officer, or by a superior power, shall be cashiered for it.

Art. 15. Non-commissioned officers and soldiers, who shall be charged with crimes, shall be imprisoned, until they shall be tried by a court-martial, or released by proper authority.

Art. 16. No officer or soldier, who shall be put in arrest or imprisonment, shall continue in his confinement more than eight days, or until such time as a court-martial can be assembled.

Art. 17. No officer commanding a guard, or provost-martial,

martial, shall refuse to receive or keep any prisoner committed to his charge by any officer belonging to the forces of the United States, provided the officer committing shall, at the same time, deliver an account in writing, signed by himself, of the crime with which the said prisoner is charged.

Art. 18. No officer commanding a guard, or provost-martial, shall presume to release any person committed to his charge, without proper authority for so doing; nor shall he suffer any person to escape, on penalty of being punished for it by the sentence of a court-martial.

Art. 19. Every officer, or provost-martial, to whose charge prisoners shall be committed, shall within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, make report in writing, to the commander in chief, or commanding officer, of their names, their crimes, and the names of the officers who committed them, on the penalty of his being punished for disobedience or neglect at the discretion of a court-martial.

Art. 20. Whatever commissioned officer shall be convicted before a general court-martial, of behaving in a scandalous and infamous manner, such as is unbecoming an officer and a gentleman, shall be dismissed the service.

Art. 21. In cases where a court-martial may think it proper to sentence a commissioned officer to be suspended from command; they shall have power also to suspend his pay and emoluments for the same time, according to the nature and heinousness of the offence.

Art. 22. In all cases where a commissioned officer is cashiered for cowardice or fraud, it shall be added in the sentence, that the crime, name, place of abode, and punishment of the delinquent be published in the newspapers, in and about camp, and of the particular state from which the offender came, or usually resides; after which it shall be deemed scandalous for any officer to associate with him.

Art. 23. The commanding officer of any post or detachment, in which there shall not be a number of officers adequate to form a general court-martial, shall in cases which require the cognizance of such a court, report to the commanding officer of the department, who shall order
a court

a court to be assembled at the nearest post or detachment, and the party accused, with the necessary witnesses to be transported to the place where the said court shall be assembled.

Art. 24. No person shall be sentenced to suffer death, except in the cases expressly mentioned in the foregoing articles; nor shall more than one hundred lashes be inflicted on any offender at the discretion of a court-martial.

Every judge advocate, or person officiating as such, at any general court-martial, shall transmit, with as much expedition as the opportunity of time and distance of place can admit, the original proceedings and sentence of such court-martial, to the secretary at war, which said original proceedings and sentence, shall be carefully kept and preserved in the office of the said secretary, to the end that persons entitled thereto, may be enabled, upon application to the said office, to obtain copies thereof.

The party tried by any general court-martial, shall be entitled to a copy of the sentence and proceedings of such court-martial after a decision on the sentence, upon demand thereof made by himself, or by any person or persons in his behalf, whether such sentence be approved or not.

Art. 25. In such cases where the general, or commanding officer may think proper to order a court of inquiry, to examine into the nature of any transaction, accusation or imputation against any officer or soldier, the said court shall be conducted conformably to the following regulations: It may consist of one or more officers, not exceeding three, with the judge advocate, or a suitable person, as a recorder, to reduce the proceedings and evidences to writing, all of whom shall be sworn to the faithful performance of their duty. This court shall have the same power to summon witnesses as a court-martial, and to examine them on oath. But they shall not give their opinion on the merits of the case, excepting they shall be thereto specially required. The parties accused shall also be permitted to cross-examine and interrogate the witnesses, so as to investigate fully the circumstances in question.

Art. 26. The proceedings of a court of inquiry must be authenticated by the signature of the recorder, and the president, and delivered to the commanding officer; and the said proceedings may be admitted as evidence, by a court-

court-martial, in cases not capital or extending to the dismissal of an officer ; provided, that the circumstances are such that oral testimony cannot be obtained. But as courts of inquiry may be perverted to dishonorable purposes, and may be considered as engines of destruction to military merit, in the hands of weak, and envious commandants, they are hereby prohibited, unless demanded by the accused.

Art. 27. The judge advocate, or the recorder, shall administer to the members the following oath :

“ You shall well and truly examine and enquire, according to your evidence, into the matter now before you, without favor or affection. So help you God.”

After which the president shall administer to the judge advocate, or recorder, the following oath :

“ You A. B. do swear, that you will, according to your best abilities, accurately and impartially record the proceedings of the court, and the evidences to be given in the case in hearing. So help you God.”

The witnesses shall take the same oath as is directed to be administered to witnesses sworn before a court-martial.

Resolved, That when any desertion shall happen from the troops of the United States, the officer commanding the regiment or corps to which the deserters belonged, shall be responsible, that an immediate report of the same be made to the commanding officer of the forces of the United States present.

Resolved, That the commanding officer of any of the forces in the service of the United States shall, upon report made to him of any desertions in the troops under his orders, cause the most immediate and vigorous search to be made after the deserter or deserters, which may be conducted by a commissioned or non-commissioned officer, as the case shall require. That, if such search should prove ineffectual, the officer commanding the regiment or corps to which the deserter or deserters belonged, shall insert, in the nearest gazette or news-paper, an advertisement, descriptive of the deserter or deserters, and offering a reward, not exceeding ten dollars, for each deserter who shall be apprehended and secured in any of the gaols of the neighbouring states. That the charges of advertising deserters, the reasonable extra expences incurred by the person

person conducting the pursuit, and the reward shall be paid by the secretary at war, on the certificate of the commanding officer of the troops.

THURSDAY, June 1, 1786.

Congress assembled--Present as Yesterday.

On motion of Mr. Grayson, seconded by Mr. Symmes.

Resolved, That the geographer of the United States, be and is hereby authorized and directed, in case any surveyor or surveyors, shall fail to appear at the time and place, by him ordered, to proceed upon the execution of the ordinance, or within twenty days from the time so fixed, to appoint other surveyor or surveyors, in place of him or them, so failing:

On the question, to agree to this, the yeas and nays being required by Mr. Houstoun.

New-Hampshire,	Mr. Long,	ay)	*
Massachusetts,	Mr. Gorham	ay		
	Mr. King	ay	}	ay
	Mr. Dane	ay		
	Mr. Sedgwick	ay	}	ay
New-York,	Mr. Lawrance	ay		
	Mr. Smith	ay	}	ay
New-Jersey	Mr. Symmes	ay		
	Mr. Hornblower	ay	}	ay
Pennsylvania,	Mr. Pettit	ay		
	Mr. Bayard	ay	}	ay
Maryland,	Mr. Hindman	ay		
	Mr. Harrison	ay	}	ay
Virginia,	Mr. Grayson	ay		
	Mr. Monroe	ay	}	ay
	Mr. Carrington	ay		
	Mr. Lee	no	}	ay
North-Carolina,	Mr. Blount	ay		
	Mr. Bloodworth	ay	}	ay
	Mr. White	ay		
South-Carolina	Mr. Pinckney	ay)	*
Georgia,	Mr. Houstoun	no		
	Mr. Few	ay	{	divided

So it was resolved in the affirmative.

FRIDAY,

J U N E, 1786.

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F R I D A Y, June 2, 1786.

Congress assembled--Present as before.

On motion of Mr. King, seconded by Mr. Monroe:

Resolved, That the commissioners authorised to treat with the Indians in the northern and middle departments, since the 12th day of March, 1784, account with the board of treasury for the monies and effects put into their hands for the purposes of their commission.

On motion of Mr. Pinckney, seconded by Mr. Symmes:

Resolved, That Thursday next be assigned for the appointment of three commissioners to examine and adjust the accounts of the board of treasury during the last year, agreeably to the resolution of June 21, 1785.

On motion of Mr. Grayson, seconded by Mr. King:

Resolved, That the commissioners of the board of treasury do take the most effectual measures to have the accounts of the secret committee of commerce, and of the commercial committee, settled without delay.

M O N D A Y, June 3, 1786.

Mr. William Peery, a delegate for Delaware, attended and took his seat.

Congress assembled--Present, Massachusetts, New-York, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire, Mr. Long, from New-Jersey, Mr. Symmes, and from Delaware, Mr. Peery.

The secretary laid before Congress a letter of the 29th May from Mr. Benjamin Hichborn, in behalf of Mr. Hancock, stating that, "as Mr. Hancock is still confined to his bed, and unable to write himself, he has requested him to inform Congress that he has long flattered himself with the prospect of better health, the want of which alone, has prevented his attending Congress; but his disorders at present wearing no appearance of leaving him soon, he is induced, from a consideration of the great inconvenience Congress is exposed to in such frequent temporary appointments to fill the chair; as well as from the total uncertainty of his future health, to request their acceptance of his resignation of the office of president; that Mr. Hancock is

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truly

truly sensible of the singular marks of the favorable sentiments of Congress in his appointment, and most sincerely regrets that he has it not in his power personally to acknowledge them ;" whereupon,

Resolved, That Congress proceed to the election of a president.

T U E S D A Y, June 6, 1786.

Congress assembled--Present Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia ; and from New-Hampshire, Mr. Long, and from Delaware, Mr. Peery.

Congress proceeded to the election of a president, and the ballots being taken,

The honorable Nathaniel Gorham was elected.

W E D N E S D A Y, June 7, 1786.

Congress assembled--Present as yesterday ; and from Rhode-Island, Mr. Manning.

On a report of the board of treasury, to whom was referred a petition of Benjamin Pierce, late a gunner of the continental frigate Alliance, in behalf of a number of the late officers and mariners of the said ship Alliance, when under the command of captain Peter Landais :

Resolved, That the board of treasury be directed to take such measures as may appear to them to be most effectual for procuring accurate returns of the officers and men serving on board the Bon Homme Richard, commanded by John Paul Jones, and the frigate Alliance, commanded by Peter Landais, at the time the captures were made by the late Squadron under the command of John Paul Jones.

That the amount of the prize monies paid by captain John Paul Jones, to the order of the board of treasury, on account of the officers and crew of the vessels above mentioned, be by the said board distributed to the officers and men entitled to receive the same, or to their proper heirs or assigns, in proportion to the shares respectively due to them, agreeably to the returns abovementioned, and the ordinances of Congress in that behalf made.

T H U R S D A Y,

J U N E, 1786.

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T H U R S D A Y, *June 8, 1786.*

Congress assembled--Present, Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and North-Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from Delaware, Mr. Peery, and from Georgia Mr. Few.

F R I D A Y, *June 9, 1786.*

Congress assembled--Present as yesterday; and from Connecticut, Mr. Johnson.

M O N D A Y, *June 12, 1786.*

Congress assembled--Present Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and North-Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from Delaware, Mr. Peery, and from Georgia, Mr. Few.

T U E S D A Y, *June 13, 1786.*

Six states only attended, namely, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, and North-Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from New-York, Mr. Haring, and from Georgia, Mr. Few.

Mr. John Henry, a delegate for Maryland, attended.

W E D N E S D A Y, *June 14, 1786*

Six states only attended, namely, Massachusetts, New-York, New-Jersey, Maryland, Virginia, and North-Carolina; and from New Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from Pennsylvania, Mr. Pettit, from Delaware, Mr. Peery, and from Georgia, Mr. Few.

T H U R S D A Y, *June 15, 1786.*

Congress assembled--Present Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia and North-Carolina;

Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from Delaware, Mr. Peery, and from Georgia, Mr. Few.

M O N D A Y, *June 16, 1786.*

Congress assembled--Present as yesterday.

F R I D A Y, *June 19, 1786.*

Six states only attended, namely, Massachusetts, New-York, Pennsylvania, Maryland, Virginia, and North Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from New-Jersey, Mr. Symmes, and from Georgia, Mr. Few.

T U E S D A Y, *June 20, 1786.*

Six states only attended, namely, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia, and North-Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, from New York, Mr. Haring, and from Georgia Mr. Few.

W E D N E S D A Y, *June 21, 1786.*

Congress assembled--Present, Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, and North-Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, and from Georgia, Mr. Few.

On motion of Mr. Grayson, seconded by Mr. Sedgwick, *Resolved*, That the post-master general be informed, in answer to his letter of the 19th, that Congress approve his conduct in directing the deputy post-masters not to receive the paper money of any state for postage of letters.

The secretary at war, to whom was referred a motion of Mr. Grayson, having reported the following resolution:

"That the secretary at war direct the commanding officer of the troops, to detach two companies to the Rapids of the Ohio, to protect the inhabitants from the incursions and depredations of the Indians."

A motion was made by Mr. Smith, seconded by Mr. Sedgwick, That the report of the secretary at war be referred to the committee to whom is referred a report of the commissioners for treating with the Indians in the northern and middle departments :

And on the question for commitment, the yeas and nays being required by Mr. Grayson :

New-Hampshire,	Mr. Long	ay) *
Massachusetts,	Mr. Gorham	ay }
	Mr. King	ay } ay
	Mr. Sedgwick	ay }
	Mr. Dane	ay }
Rhode-Island,	Mr. Manning	no) *
New-York,	Mr. Haring	ay }
	Mr. Smith	ay } ay
New Jersey,	Mr. Symmes	no }
	Mr. Hornblower	ay } divided
Pennsylvania,	Mr. Pettit	ay }
	Mr. Wilson	no } divided
Maryland,	Mr. Henry	no }
	Mr. Hindman	no } no
	Mr. Harrison	ay }
Virginia,	Mr. Grayson	no }
	Mr. Monroe	no } no
	Mr. Lee	no }
North-Carolina,	Mr. Bloodworth	no }
	Mr. White	no } no
Georgia,	Mr. Few	no) *

So the question was lost.

A motion was then made by Mr. Lee, seconded by Mr. Grayson, to amend the report, by changing "two" into "four"--and on the question to agree to this amendment, the yeas and nays being required by Mr. Grayson :

New-Hampshire,	Mr. Long	no) *
Massachusetts,	Mr. Gorham	no }
	Mr. King	no } no
	Mr. Sedgwick	no }
	Mr. Dane	no }
Rhode-Island,	Mr. Manning	no) *
New-York,	Mr. Haring	no }
	Mr. Smith	no } no

New-Jersey,	Mr. Symmes	no	}	no
	Mr. Hornblower	no		
Pennsylvania,	Mr. Pettit	no	}	no
	Mr. Wilson	no		
Maryland,	Mr. Henry	no	}	no
	Mr. Hindman	no		
	Mr. Harrifon	no		
Virginia,	Mr. Grayson	ay	}	ay
	Mr. Monroe	ay		
	Mr. Lee	ay		
North-Carolina,	Mr. Bloodworth	no	}	no
	Mr. White	no		
Georgia,	Mr. Few	ay)	*

So the question was lost.

On the question to agree to the resolution reported, the yeas and nays being required by Mr. Grayson:

New Hampshire,	Mr. Long	ay)	*
Massachusetts,	Mr. Gorham	ay	}	no
	Mr. King	no		
	Mr. Sedgwick	no		
	Mr. Dane	no		
Rhode-Island,	Mr. Manning	ay)	*
New York,	Mr. Haring	ay	}	ay
	Mr. Smith	ay		
New-Jersey,	Mr. Symmes	ay	}	ay
	Mr. Hornblower	ay		
Pennsylvania,	Mr. Pettit	ay	}	ay
	Mr. Wilson	ay		
Maryland,	Mr. Henry	ay	}	ay
	Mr. Hindman	ay		
	Mr. Harrifon	ay		
Virginia,	Mr. Grayson	ay	}	ay
	Mr. Monroe	ay		
	Mr. Lee	ay		
North-Carolina,	Mr. Bloodworth	ay	}	ay
	Mr. White	ay		
Georgia,	Mr. Few	ay)	*

So the question was lost.

On motion of Mr. Smith,

Ordered, That the secretary for foreign affairs have leave of absence for ten days.

THURSDAY,

J U N E, 1786,

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T H U R S D A Y, June 22, 1786,

Congress assembled—Present, Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and South-Carolina; and from New-Hampshire, Mr. Long, from Rhode-Island, Mr. Manning, and from Georgia, Mr. Few.

Mr. Daniel Huger, a delegate for South-Carolina, attended and produced credentials, by which it appears, that he is appointed a delegate to represent that state until the first day of February, 1787.

On motion of Mr. Pinckney, seconded by Mr. Carrington:

Resolved, That the secretary at war direct the commanding officer of the troops, to detach two companies to the rapids of the Ohio, to protect the inhabitants from the incursions and depredations of the Indians.

On the question to agree to this resolution, the yeas and nays being required by Mr. Grayson.

New-Hampshire,	Mr. Long	ay	}	no
Massachusetts,	Mr. Gorham	ay		
	Mr. King	no		
	Mr. Sedgwick	no		
	Mr. Dane	no		
Rhode-Island,	Mr. Manning	ay	}	ay
New-York,	Mr. Haring	ay		
	Mr. Smith	ay	}	ay
New-Jersey,	Mr. Symmes	ay		
	Mr. Hornblower	ay	}	ay
Pennsylvania,	Mr. Pettit	ay		
	Mr. Wilson	ay	}	ay
Maryland,	Mr. Henry	ay		
	Mr. Hindman	ay	}	ay
	Mr. Harrison	ay		
Virginia,	Mr. Grayson	ay	}	ay
	Mr. Monroe	ay		
	Mr. Lee	ay	}	ay
	Mr. Carrington	ay		
North-Carolina,	Mr. Bloodworth	ay	}	ay
	Mr. White	ay		

South-

South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
Georgia,	Mr. Few	ay	} *

So it was resolved in the affirmative.

M O N D A Y, June 26, 1786.

Congress assembled,--Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Pennsylvania, Mr. Bayard.

Mr. Nathaniel Ramsay, a delegate for Maryland, attended and took his seat in Congress.

According to order, Congress was resolved into a committee of the whole, to take into consideration the state of public affairs.

The honorable Mr. Livermore was elected to the chair.

After some time, the president resumed the chair, and Mr. Livermore reported that the committee have had under consideration the subject referred to them; but not having come to a conclusion, desire leave to sit again.

Ordered, That the committee sit again to-morrow.

T U E S D A Y, June 27, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

On a report of the secretary at war:

Resolved, That the resignation of lieutenant Michael Connolly be accepted.

A letter of the 26th from J. Pierce, commissioner for settling the army accounts, having been read, with sundry letters relative to claims of J. Sullivan, late an officer in the cavalry of the United States.

Resolved That Congress approve of the conduct of the paymaster general, in refusing the application of John Sullivan, for pay and commutation, the said John Sullivan having withdrawn himself from the United States without leave obtained before the conclusion of the war.

On motion of the delegates of New-Hampshire,

Congress

Congress proceeded to the election of a surveyor for the state of New-Hampshire, in the room of Edward Dawse, who has resigned; and the ballots being taken,

Mr. Winthrop Sergeant was elected.

On the report of a committee, consisting of Mr. Pinckney, Mr. King, Mr. Johnson, Mr. Grayson and Mr. Hindman, to whom were referred several memorials and petitions from persons claiming vessels in the courts of admiralty in some of the states, praying for hearings and rehearings before the court of appeals:

Resolved, That the judges of the court of appeals be, and hereby are authorized and directed, in every cause which has been or may be brought before them, to sustain appeals and grant rehearings, or new trials of the same, wherever justice and right may in their opinion require it; provided that an order for a rehearing or new trial, shall in no instance suspend the execution of the first sentence, if the party in whose favour it may have been, shall give satisfactory security for the payment of such costs and damages as the court, on rehearing the cause and reversing the decree, may think proper to award; and that the said judges be entitled, each, to ten dollars per day during the time they shall attend the sitting of the said courts, and including the time they shall be necessarily employed in travelling to and from the same:

Resolved, That the said court assemble at the city of New-York, on the first Monday of November next, for the dispatch of such business as may then and there be before them; and that the secretary of Congress take order for publishing these resolutions for the information of all persons concerned.

W E D N E S D A Y, June 28, 1786.

Congress assembled--Present as yesterday.

The commissioner for settling the accounts of the hospital, cloathing and marine departments, to whom was referred a memorial of doctor Robert Johnson, having reported thereon, and the report being amended to read as follows:

That in the adjustment of the accounts of Robert Johnson, the commissioner for settling the hospital accounts,

R

&c.

&c. be directed to examine strictly into the propriety of all extra expences incurred in executing his duties, and where it shall appear that such expences were necessarily and unavoidably incurred, and that the subsistence allowed was not adequate thereto, the surplus be allowed. That, as it appears from the deposition of the said doctor Robert Johnson, that the sum of money and certificates stated in his memorial, were public monies stolen from him, without any negligence on his part, and that the balance of money remaining in his hands has not been applied to any use since it came into his possession, the commissioner for settling the accounts of the hospital department, be directed to pass the amount of those sums to his credit, on his returning to the commissioner the said balance and a list of the certificates so stolen.

And the said report, thus amended, having been yesterday referred to the said commissioner to take order:

A motion was this day made by Mr. Monroe, seconded by Mr. King, to reconsider the resolution passed yesterday for referring the said report to the commissioner to take order : And on the question for reconsidering ; the yeas and nays being required by Mr. Monroe :

New-Hampshire.	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts.	Mr. Gorham	no	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
	Mr. Dane	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	no	} divided
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} divided
	Mr. Hindman	no	
	Mr. Harrison	ay	
	Mr. Ramsay	no	
Virginia,	Mr. Grayson	no	} divided
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	no	
			North-

North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	no	} divided
	Mr. Huger	ay	
Georgia,	Mr. Houstoun	ay	} divided
	Mr. Few	no	

So the question was lost.

On motion of Mr. Lee, seconded by Mr. Long :

Resolved, That Tuesday next being the anniversary of the declaration of independence, there shall be a public levee at the president's house, from the hours of twelve to two, to receive the ordinary congratulations, and that the secretary of Congress take order for due communication thereof.

THURSDAY, June 29, 1786.

Congress assembled--Present as yesterday; and from Rhode-Island Mr. Manning.

The committee consisting of Mr. Grayson, Mr. Dane and Mr. Monroe, to whom was referred a letter of the 16th May, from the governor of Virginia, having reported: That it appears to the committee, that the Indian tribes therein referred to, were invited to the treaty which was held at the mouth of the Great Miami by the commissioners of the United States, but failed either to attend thereat, or to take any notice of the messages sent them for that purpose:--That they have since that time attacked the frontiers of the state of Virginia, and are frequently committing murders and depredations on the inhabitants of the said state: That as the attempt for preserving peace by treaties alone has in this instance been unsuccessful, and is not likely on any future occasion, with respect to these Indians, to have a more prosperous issue, the committee are of opinion that the only alternative left, is for the United States to send a respectable force into their country, and at the same time authorise the commanding officer of such expedition, either to treat with the said Indians, or make war on them as circumstances may require. That this mode of proceeding, will not only give peace to the citizens of Virginia, who are entitled by the confederation to the protection of the United States, but will render the federal authority

authority respectable in those countries, and be the means of preventing other tribes from disturbing the frontiers of the different states in this union ; therefore, *Resolved*, That the commanding officer, with the two companies of the troops now in the pay of the United States, ordered to the Rapids of the Ohio on the 22d instant, do without delay, march into the country of the different tribes of Indians, either on the Wabash or elsewhere, who are now at war with the citizens of these United States, for the purpose of treating with the said Indians, or of making war on them as circumstances may require. That the said commanding officer be authorised, to apply to the executive of the state of Virginia for such a number of militia from the district of Kentucke, not exceeding one thousand, and such supplies of provision as he may, from circumstances judge necessary, and who are hereby requested to furnish the same, deducting the amount thereof from the specie proportion of the requisition of the year 1786. That the said commanding officer, give peace to the said Indians, on no other terms than that of their making satisfaction as far as lies in their power, for any damages already done, and of delivering up a sufficient number of hostages as a security for the time to come.

This report being under debate, a motion was made by Mr. Pettit, seconded by Mr. Sedgwick, That the farther consideration of the report be postponed, in order to take up the following proposition---“Whereas information has been received, that small parties of Indians, have crossed the river Ohio near the falls thereof, and committed depredations in the district of Kentucke, in consequence whereof, on the 22d instant, Congress ordered a detachment of two companies of the federal troops, to take post at the falls of the Ohio, to aid the militia of the frontiers in the protection of the inhabitants ; but Congress are not possessed of sufficient evidence of the aggression or hostile disposition of any tribe or tribes of Indians, towards the United States, or any of them, to justify them in carrying war into the Indian country. For the prevention of future incursions *Resolved*, That Congress will without delay, proceed in the organization of the Indian department and adopt such other measures as shall effectually secure peace to the Indians and safety to the citizens inhabiting the frontiers of the United States.”

On

On the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Grayson :

New-Hampshire,	Mr. Livermore	no	} divided
	Mr. Long	ay	
Maffachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	ay	} *
New-York,	Mr. Haring	ay	
	Mr. Smith	ay	
New-Jerfey,	Mr. Symmes	no	} divided
	Mr. Hornblower	ay	
Pennfylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} no
	Mr. Hindman	no	
	Mr. Harrifon	no	
	Mr. Ramfay	no	
Virginia,	Mr. Grayfon	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	
	Mr. Lee	no	
North-Carolina,	Mr. Bloodworth	no	} no
	Mr. White	no	
South-Carolina,	Mr. Pinckney	no	} no
	Mr. Huger	no	
Georgia,	Mr. Houftoun	no	} no
	Mr. Few	no	

So the question was loft.

After further debate, a motion was made by Mr. Houftoun, feconded by Mr. Pettit, that the further confideration of the report be postponed till Wednesday next; and on the question to postpone till Wednesday, the yeas and nays being required by Mr. Grayfon :

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Maffachusetts,	Mr. Gorham	no	} divided
	Mr. King	ay	
	Mr. Sedgwick	no	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} *
New-York,			

New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} divided
	Mr. Hindman	no	
	Mr. Harrison	no	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	
	Mr. Lee	no	} no
North-Carolina,	Mr. Bloodworth	no	
	Mr. White	no	} no
South-Carolina,	Mr. Pinckney	no	
	Mr. Huger	no	} no
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	} ay

So the question was lost.

A motion was then made by Mr. Grayson, seconded by Mr. Monroe, to amend the report, by adding, after the words "therefore resolved that the commanding officer," the following, "attended by the commissioners or superintendant of the Indian department for the time being;" and by striking out, in the latter end of the sentence, the words "as circumstances may require," and in lieu thereof, inserting "as the said commissioners or superintendant may direct."

And on the question to agree to this amendment, the yeas and nays being required by Mr. Grayson:

New Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	ay	} *
New York,	Mr. Haring	no	
	Mr. Smith	no	} no
New-Jersey,	Mr. Symmes	ay	
	Mr. Hornblower	no	} divided
			Pennsylvania,

Pennsylvania,	Mr. Pettit	no	} divided
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Hindman	ay	
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	ay	} ay
South-Carolina,	Mr. Pinckney	ay	
	Mr. Huger	ay	} ay
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	} ay

So the question was lost.

The report being amended by striking out the word "either" before "Wabash," and the words "or elsewhere" immediately following it;

A motion was made by Mr. Monroe, seconded by Mr. Manning, to amend the report farther by striking out the words "making war on them," and altering the clause so as to read "or repelling their attacks as circumstances may require, so as to secure the frontiers of the said states from further depredations."

And on the question to agree to this amendment, the yeas and nays being required by Mr. Monroe :

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	ay	} *
New-York,	Mr. Haring	no	
	Mr. Smith	no	} no
New-Jersey,	Mr. Symmes	no	
	Mr. Hornblower	no	} no
Pennsylvania,	Mr. Pettit	ay	
	Mr. Bayard	ay	} ay
			Maryland,

Maryland,	Mr. Henry	ay	} ay
	Mr. Hindman	ay	
	Mr. Harrifon	ay	
	Mr. Ramfay	ay	
Virginia,	Mr. Grayfon	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
Georgia,	Mr. Houftoun	ay	} ay
	Mr. Few	ay	

So the queftion was loft.

On the queftion to agree to the report of the committee as amended, the yeas and nays being required by Mr. Grayfon :

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Maffachufetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Ifland,	Mr. Manning	no	*
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jerfey,	Mr. Symmes	no	} no
	Mr. Hornblower	no	
Pennfylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	no	} no
	Mr. Hindman	no	
	Mr. Harrifon	no	
	Mr. Ramfay	no	
Virginia,	Mr. Grayfon	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	

South

South-Carolina,	Mr. Pinckney	ay) ay
	Mr. Huger	ay	
Georgia,	Mr. Houstoun,	excused at his request.	
	Mr. Few	ay	

So the question was lost.

F R I D A Y, June 30, 1786.

Congress assembled--Present as yesterday.

A motion was made by Mr. Lee, seconded by Mr. Monroe,

That the executive of the state of Virginia be informed, that Congress, desirous to give the most ample protection in their power to the citizens of the United States, have directed their commandant on the Ohio, to detach two companies of infantry to the Rapids of the Ohio, and request that the executive will give orders to the militia of that district to hold themselves in readiness to unite with the federal troops in such operations as the officer commanding the troops of the United States may judge necessary for the protection of the frontiers, who is hereby authorized and directed, in case of necessity, to apply for the same to an amount not exceeding one thousand; and that Congress now have under their deliberation the organization of the Indian department, for the purpose of extending to the frontiers regular and certain security against the future designs of the Indians.

A motion was made by Mr. King, seconded by Mr. Long, to strike out the words "who is hereby authorized and directed in case of necessity to apply for the same to an amount not exceeding one thousand:"

And on the question shall those words stand, the yeas and nays being required by Mr. Monroe:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	ay	*

New-York,	Mr. Haring	no	} divided
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	no	} no
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Hindman	ay	} ay
	Mr. Harrison	no	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So the question was lost and the words were struck out:
On the question,

Resolved, That the executive of the state of Virginia be informed that Congress, desirous to give the most ample protection in their power to the citizens of the United States, have directed their commandant on the Ohio, to detach two companies of infantry to the Rapids of the Ohio, and request that the executive will give orders to the militia of that district to hold themselves in readiness to unite with the federal troops in such operations as the officer commanding the troops of the United States may judge necessary for the protection of the frontiers; and that Congress now have under their deliberation the organization of the Indian department, for the purpose of extending to the frontiers regular and certain security against the future designs of the Indians.

On motion of Mr. Dane, seconded by Mr. Smith:

Resolved, That the commissioners of the treasury take the necessary measures for removing immediately, and placing on the lands given by the state of New-York, such Canadian inhabitants as are now residing in the said state, and who have accepted donations of lands from the same, and who will settle thereon; and that the said commissioners be authorized to contract with some suitable person or persons for that purpose.

Resolved,

Resolved, That the said commissioners take proper measures for supplying the said Canadians who shall be removed as aforesaid, with fifteen months rations, commencing the first day of June instant, at such rates as, in the opinion of the said commissioners and the secretary at war, shall be reasonable and proper; and that the said commissioners be authorized to contract with some suitable person or persons to furnish the said rations, and to adopt such modes of negotiating the business, as in their opinion the present state of the public finances may require.

On a report of a committee, consisting of Mr. Williamson, Mr. Lee and Mr. Peters, to whom was referred a memorial of James Elliot, assistant geographer:

Resolved, That in settling the accounts of Mr. James Elliot, assistant geographer to the United States, he be allowed the pay of two dollars a day and one ration, according to the resolution of March the 8th, 1782, in his favour, until the 20th. of October, 1783, and no longer.

The committee, consisting of Mr. Dane, Mr. Lee and Mr. St. Clair, to whom was referred a representation of J. Pierce, commissioner of army accounts, of the 2d March 1786, stating that several officers of the continental line of the army, who were made prisoners in the years 1776 and 1777, and continued in captivity until the exchanges were made after the month of October, 1780, found themselves on their release, out of service, their corps having been, during their captivity, differently organized, and their names omitted in the list of officers; and that the said officers claim the benefits and emoluments of the resolves of October 3d and 21st, 1780, thereby granted to deranged and certain other officers, having reported:

That they have carefully examined, considered and compared the several resolves of Congress relative to this subject, of January 19, May 15, and November 24, 1778; May 22, 1779; October 3 and 21, and November 28, 1780; January 1, May 25, and December 31, 1781; January 26, and February 11, 1784; and March 8, 1785; and are of opinion, on a true construction of the said resolves, that the benefits and emoluments of those resolves of October 3, and 21, 1780, cannot be extended to officers in captivity, exchanged, their names omitted in the list of officers, and their corps differently organized as aforesaid; for it appears

appears to have been the uniform intention of Congress to extend these benefits and emoluments to three descriptions only of officers in the line, within neither of which are the officers referred to by the commissioner ; to wit, to officers who should continue in service during the war, to officers who should be hostages to, and liable to be called for by the enemy, and to officers deranged by the two arrangements of the army, in the years 1780 and 1781. But that the said officers so referred to, are entitled to the one year's pay, granted by the resolve of November 24, 1778, and extended by the resolve of May 22d, 1779.

Resolved, That Congress agree to the said report.

On a report of a committee, consisting of Mr. Pinckney, Mr. Johnson, Mr. Lawrance, Mr. King and Mr. Long, to whom was referred a memorial of Moses Rawlings, late a lieutenant colonel in the service of the United States.

Resolved, That lieutenant colonel Moses Rawlings, having resigned his commission in the service of the United States before the conclusion of the late war, cannot be allowed those emoluments promised to the officers who shall continue in service to the end of the war.

On a report of the board of treasury, to whom was referred a memorial of John Thaxter :

Resolved, That there be allowed to Mr. John Thaxter, a salary of three hundred pounds sterling annually, for the time he acted as private secretary to Mr. John Adams, one of the ministers plenipotentiary of the United States of America in Europe, deducting from such allowance the public monies advanced to him on this account ; and that the board of treasury take order for paying, out of the contingent fund, the sum found due to Mr. Thaxter, on a certificate of the comptroller of the treasury.

M O N D A Y, July 3, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia ; and from Rhode-Island, Mr. Manning, and from Connecticut, Mr. Johnson.

Mr. John Parker, a delegate for South-Carolina, attended and produced the credentials of his appointment, by which

which it appears, that he is appointed a delegate to represent that state in Congress, until the first day of February next.

On a report of the board of treasury, to whom was referred a memorial of John Wilcox and Gerardus Clarkson, executors of Benjamin Flowers, deceased, late commissary general of military stores :

Resolved, that the executors of colonel Benjamin Flowers, late commissary general of military stores, be directed to transmit to the comptroller of the treasury, such vouchers and documents relative to the accounts of that department, as may facilitate the settlement of the particular accounts of the deceased, and of the persons acting under him as principal of the department.

That the board of treasury cause the particular account of the deceased, for articles purchased or received by him as principal, to be forthwith examined; and if, on a report of the comptroller in consequence of such examination, it shall appear that the best account is rendered of the articles purchased or received by the deceased which present circumstances will admit of, that they be, and they hereby are authorized to direct the issue of the usual certificate for any balance which may appear due on the settlement of the cash account of the deceased.

W E D N E S D A Y, July 5, 1786.

Congress assembled--Present as before.

T H U R S D A Y, July 6, 1786.

Congress assembled---Present as before.

On a report of the secretary at war and commissioner for army accounts, on the memorial of Jesse Cook and Jesse Grant :

Resolved, That it be recommended to the state of Connecticut, to settle with Jesse Cook and Jesse Grant, late officers in the service of the United States the depreciation of their pay as captains, from the time they were entitled to that rank, to the first of August 1780, and also for their pay as captains, from the said first day of August, to the 25th October 1780, when they returned from captivity.

F R I D A Y,

F R I D A Y, July 7, 1786.

Congress assembled--Present as before.

Congress took into consideration, a report of a grand committee, to whom, among other things, was referred a motion of Mr. Monroe, respecting the cessions of western territory, and forming the same into states, and the committee having submitted that it be *Resolved*,

“ That, it be recommended to the legislatures of the States of Massachusetts and Virginia, to take into consideration their acts of cession, and revise the same, so far as to empower the United States in Congress assembled, to make such division into states of the ceded lands and territory, as the situation of the country and future circumstances may require; with this limitation and condition however, that all the territory of the United States, lying north-west of the river Ohio, shall be formed into a number of states, not less than two nor more than five, to be admitted into the confederacy on the principles and in the forms heretofore established and provided.”

A motion was made by Mr. Grayson, seconded by Mr. Lee, to postpone the consideration of the same in order to take up the following :

“ That it be recommended to the states of Virginia and Massachusetts, so to alter their acts of cession, as that the states in the western territory may be bounded as follows : There shall be three states between the Ohio and a line running due east from the Mississippi to the eastern boundary of the United States, so as to touch the most southern part of lake Michigan. The state lying on the Mississippi shall be separated from the middle state by a line running due north from the western side of the mouth of the Wabash river, till it intersects the said east line ; the middle state shall be separated from the others by the afore said line, and a line running also due north from the western side of the mouth of the big Miami, till the intersection thereof with the said east line ; and the other state shall be divided from the middle state by the said line, the said east line, lake Erie, the bounds of Pennsylvania, the other original states and Ohio : There shall be a state between the said east line, lake Michigan, lake Huron and the streights of Michilimakinak ; and another between the said east line, the lakes Michigan and Superior.

Superior and the boundary line of the United States and the river Mississippi, to be admitted into the confederacy on the principles and in the forms heretofore established and provided." And on the question to postpone for the purpose abovementioned, the yeas and nays being required by Mr. Grayson :

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	ay	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	ay) *
Connecticut,	Mr. Johnson	no	
New-York,	Mr. Haring	ay	} divided
	Mr. Smith	no	
New-Jersey,	Mr. Symmes	no	} no
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	no	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	no	} divided
	Mr. Kean	ay	
	Mr. Huger	no	
	Mr. Parker	ay	
Georgia,	Mr. Houston	ay	} ay
	Mr. Few	ay	

So the question was lost.

A motion was then made by Mr. Pinckney, seconded by Mr. Symmes, to strike out the words " with this limitation and condition however that all the territory of the United States lying north west of the river Ohio &c. to the end."

And on the question, shall those words stand? the yeas and nays being required by Mr. Grayson :

New-

New-Hampshire,	Mr. Livermore	no	}	no
	Mr. Long	no		
Massachusetts,	Mr. Gorham	ay	}	no
	Mr. King	no		
Rhode-Island,	Mr. Sedgwick	no	}	*
Connecticut,	Mr. Manning	ay		
New York,	Mr. Johnson	no	}	*
	Mr. Haring	ay		
	Mr. Smith	ay	}	ay
New-Jersey,	Mr. Symmes	no		
	Mr. Hornblower	ay	}	divided.
Pennsylvania,	Mr. Pettit	no		
	Mr. Bayard	no	}	no
Maryland,	Mr. Henry	ay		
	Mr. Harrison	ay	}	ay
	Mr. Ramsay	ay		
Virginia,	Mr. Grayson	no	}	ay
	Mr. Monroe	ay		
	Mr. Lee	ay	}	ay
North-Carolina,	Mr. Bloodworth	ay		
	Mr. White	ay	}	no
South-Carolina,	Mr. Pinckney	no		
	Mr. Kean	ay	}	no
	Mr. Huger	no		
Georgia,	Mr. Houstoun	no	}	divided
	Mr. Few	ay		

So the question was lost and the words were struck out.

The resolution being amended to read as follows:

That it be recommended to the legislature of Virginia, to take into consideration their act of cession, and revise the same, so far as to empower the United States in Congress assembled to make such a division of the territory of the United States lying northerly and westerly of the river Ohio, into distinct republican states, not more than five nor less than three, as the situation of that country and future circumstances may require, which states shall hereafter become members of the federal union, and have the same rights of sovereignty, freedom and independence as the original states, in conformity with the resolution of Congress of the 10th October 1780.

On

On the question to agree to the resolution, as amended,
the yeas and nays being required by Mr. Grayson :

New-Hampshire.	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts.	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} *
Connecticut,	Mr. Johnson	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	no	} ay
	Mr. Monroe	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Kean	ay	
	Mr. Huger	ay	
Georgia,	Mr. Parker	ay	} ay
	Mr. Houston	ay	
	Mr. Few	ay	

So it was resolved in the affirmative.

The report being further amended, the whole was agreed to as follows:

Whereas it appears, from the knowledge already obtained of the tract of country lying north-west of the river Ohio, that the laying it out and forming it into states of the extent mentioned in the resolution of Congress of the 10th of October, 1780, and in one of the conditions contained in the cession of Virginia, will be productive of many and great inconveniencies: That by such a division of the country, some of the new states will be deprived of the advantages of navigation, some will be improperly intersected by lakes, rivers and mountains, and some will con-

tain too great a proportion of barren unimprovable land, and of consequence will not for many years, if ever, have a sufficient number of inhabitants to form a respectable government; and entitle them to a seat and voice in the federal council: And whereas in fixing the limits and dimensions of the new states, due attention ought to be paid to natural boundaries, and a variety of circumstances which will be pointed out by a more perfect knowledge of the country, so as to provide for the future growth and prosperity of each state, as well as for the accommodation and security of the first adventurers. In order therefore that the ends of government may be attained, and that the states which shall be formed, may become a speedy and sure accession of strength to the confederacy:

Resolved, That it be, and it hereby is recommended to the legislature of Virginia, to take into consideration their act of cession, and revise the same so far as to empower the United States in Congress assembled, to make such a division of the territory of the United States lying northerly and westerly of the river Ohio, into distinct republican states, not more than five nor less than three, as the situation of that country and future circumstances may require; which states shall hereafter become members of the federal union, and have the same rights of sovereignty, freedom and independence as the original states, in conformity with the resolution of Congress of the 10th of October, 1780.

M O N D A Y, *July 10, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, New-York, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Manning, from Connecticut, Mr. Johnson, and from New-Jersey, Mr. Symmes.

T U E S D A Y, *July 11, 1786.*

Congress assembled--Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Manning, and from Connecticut, Mr. Johnson.

WEDNESDAY,

J U L Y, 1786.

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W E D N E S D A Y, July 12, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Manning.

Mr. Jonathan Sturges, a delegate for Connecticut, attended and took his seat in Congress.

On the report of a committee, consisting of Mr. Monroe, Mr. Johnson, Mr. King, Mr. Kean, and Mr. Pinckney, to whom were referred the treaties made with the Indians.

Whereas it is unnecessary to continue the commissions longer in force, which were granted for the purpose of treating with the Indians in the northern, middle, and southern departments, as the future connexion and intercourse with the several Indian nations, may at a less expence be maintained by a proper organization of the Indian department; therefore,

Resolved, That the several commissions of the 17th May and 22d September, 1785, be and they are hereby revoked.

T H U R S D A Y, July 13, 1786.

Congress assembled--Present as yesterday.

On a letter of the 12th from the board of treasury:

Ordered, That the board of treasury take order to advance to the person engaged by the late Indian commissioners for the northern and middle departments, to invite certain chiefs of the western Indians to attend the geographer of the United States in the survey of the western territory, as much money as may be necessary for his service and expences.

F R I D A Y, July 14, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South Carolina and Georgia.

Mr. Nathan Miller, a delegate for Rhode-Island and Providence.

Providence Plantations, attended and produced the credentials of his appointment, by which it appears that he is empowered to represent the said state until the first Monday in November next.

On the report of a committee, consisting of Mr. Lee, Mr. King and Mr. Kean :

Resolved, That Congress consider the confederation as a compact between the several states for mutual good :

That the union, under the authority of that compact, has a right to demand the duties stipulated to be performed by each state, expressed by the articles of the said compact :

That the first claim which the whole has on its parts, is to comply with the formation of the sovereignty, as a compliance therewith is essential to the execution of the purposes of the confederation :

That the states have a right to appoint their delegates, subject to the qualifications of the fifth article of the confederation, as they may please :

That such appointments being made conformable to the confederation, it becomes the duty of the states, seasonably to send forward their delegates, and the state neglecting to do, becomes responsible to the union for the delays and evils which may ensue from such neglect.

On a question to agree to the following clause of the report, viz. "That a delegate having taken his seat in Congress, has no right to withdraw himself without permission obtained either from Congress or the state he represents," the yeas and nays being required by Mr. Pinckney :

New-Hampshire,	Mr. Livermore	no	} divided
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} divided
	Mr. Miller	no	
Connecticut,	Mr. Johnson,	ay	} divided
	Mr. Sturges	no	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	

New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	no	} no
	Mr. Hindman	no	
	Mr. Harrifon	no	
	Mr. Ramsay	no	
Virginia,	Mr. Grayfon	no	} no
	Mr. Monroe	no	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	ay	} ay
South-Carolina,	Mr. Pinckney	ay	
	Mr. Huger	ay	} ay
	Mr. Parker	ay	
Georgia,	Mr. Houftoun	no	} divided
	Mr. Few	ay	

So the question was lost.

M O N D A Y, July 17, 1786.

Congress assembled--Present as on Friday.

Mr. J. Bull, a delegate for South-Carolina attended and produced credentials by which it appears, that he is appointed a delegate to represent the said state in Congress, until the 21st day of February 1787.

T U E S D A Y, July 18, 1786.

Congress assembled--Present as before,

On a memorial of Stephen Moore :

Resolved, That the balance due to Stephen Moore, together with the interest on an appraisement of damages by him sustained as proprietor of West Point, in pursuance of the resolution of Congress of the 25th September 1733, be ascertained and certified in the usual manner by the comptroller of the treasury, and it is hereby recommended to the state of North-Carolina to pay the same, and charge the amount to the United States.

And whereas the state of North-Carolina is credited in the books of the treasury, thirty thousand dollars, at the rate of forty for one, which was paid to the said Stephen Moore,

Moore, when the money was at a greater depreciation :

Resolved, That it be and it is hereby recommended to the state of North-Carolina, to make good the difference of depreciation on the thirty thousand dollars, paid as aforesaid.

WEDNESDAY, July 19, 1786.

Congress assembled--Present as before.

A memorial of A. H. Dorhman being read :

Ordered, That the memorial of Mr. Dorhman, be referred to the board of treasury, and that they examine his claims and services, and report.

Ordered, That the secretary of Congress and the secretary for foreign affairs, furnish the board of treasury with such documents and papers as may be in their respective offices, evidential of the services and claims of the said Mr. Dorhman.

The committee consisting of Mr. Pinckney, Mr. Johnson, Mr. Lawrence, Mr. King and Mr. Long, to whom was referred a letter of 24th December 1785, from J. Sullivan, late a major general in the service of the United States, having reported :

“That in consideration of the particular circumstances of of Mr. Sullivan’s case, and of the eminent services he has rendered the United States, he be allowed depreciation, and that it be recommended to the state of New-Hampshire to settle with him in the same manner, as if he had not resigned before the 10th April 1780,” and the same being postponed to take up the following proposition :

That it be recommended to the several states to make good to all the officers and soldiers of the army who left the service antecedent to the 10th day of April 1780, their depreciation of pay respectively.

On the question to agree to this proposition, the yeas and nays being required by Mr. Grayson :

New-Hampshire,	Mr. Livermore	no	} no.
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	

Connecticut,

Connecticut,	Mr. Johnson	no	}	no
	Mr. Sturges	no		
New-York,	Mr. Lawrance	ay	}	no
	Mr. Haring	no		
	Mr. Smith	no	}	no
New-Jersey,	Mr. Symmes	no		
	Mr. Hornblower	no	}	no
Pennsylvania,	Mr. Pettit	no		
	Mr. Bayard	no	}	no
Maryland,	Mr. Henry	ay		
	Mr. Harrison	no	}	ay
	Mr. Ramfay	ay		
Virginia,	Mr. Grayson	ay	}	ay
	Mr. Monroe	ay		
	Mr. Carrington	ay	}	ay
North-Carolina,	Mr. Bloodworth	ay		
	Mr. White	ay	}	ay
South-Carolina,	Mr. Bull	ay		
	Mr. Pinckney	ay	}	ay
	Mr. Parker	no		
Georgia,	Mr. Houstoun,	ay	}	ay
	Mr. Few	ay		

So it passed in the negative.

On the question to agree to the report of the committee, the yeas and nays being required by Mr. Livermore:

New-Hampshire,	Mr. Livermore	ay	}	ay
	Mr. Long	ay		
Massachusetts,	Mr. Gorham	no	}	no
	Mr. King	ay		
	Mr. Sedgwick	no	}	no
	Mr. Dane	no		
Rhode-Island,	Mr. Manning	no	}	no
	Mr. Miller	no		
Connecticut,	Mr. Johnson	ay	}	divided
	Mr. Sturges	no		
New York,	Mr. Lawrance	ay	}	no
	Mr. Haring	no		
	Mr. Smith	no	}	divided
New-Jersey,	Mr. Symmes	no		
	Mr. Hornblower	ay	}	divided
Pennsylvania,	Mr. Pettit	ay		
	Mr. Payard	no	}	divided
Maryland,				

Maryland,	Mr. Henry	no	} no
	Mr. Harrison	no	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	
	Mr. Lee	no	
North-Carolina,	Mr. Bloodworth	no	} no
	Mr. White	no	
South-Carolina,	Mr. Bull	no	} ay
	Mr. Pinckney	ay	
	Mr. Parker	ay	
Georgia,	Mr. Houstoun	ay	} divided
	Mr. Few	no	

So the question was lost.

THURSDAY, July 20, 1786.

Congress assembled--Present as before.

Congress resumed the consideration of an ordinance on Indian affairs, and a motion was made by Mr. Few, seconded by Mr. Bloodworth, to amend the same by inserting the following proviso, viz.

"Provided that when it shall appear necessary to hold a treaty or treaties with any nation, town or tribe of Indians, within the boundary or limits of any of the states, a communication shall in the first instance be made to the legislature or executive of the state within whose limits such Indians are, notifying the time, place, and object of such treaty; and the said superintendant shall have full power to negotiate and treat with the said Indians on all matters relative to peace and war, agreeable to such instructions as he may receive; provided also, that the legislative right of any state be not infringed or violated, and that on all matters respecting the regulation of trade, or internal policy in which the retained sovereignty, jurisdiction or legislative right is concerned, the superintendant shall advise, consult with and obtain the approbation of such state, or some person or persons duly authorized on the part of the said state to assent thereto, before any treaty or act touching the premises shall be considered as valid."

On the question to agree to this amendment, the yeas and

and nays being required by Mr. Few and Mr. Bloodworth :

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller,	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	
New-York,	Mr. Lawrance	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	no	} no
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	no	} no
	Mr. Harrifon	no	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	
	Mr. Lee	no	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	no	} no
	Mr. Huger	no	
Georgia,	Mr. Houftoun	ay	} ay
	Mr. Few	ay	

So it passed in the negative.

F R I D A Y, July 21, 1786.

Congress assembled--Present as before.

Congress resumed the consideration of the ordinance respecting Indian affairs; and the following paragraphs being under debate :

“ They (the superintendants) shall have authority to place deputies among the several tribes, and to remove all or either of them for misbehaviour,—to grant licenses to traders :”

A motion was made by Mr. Houstoun, seconded by Mr. Bloodworth, to strike out the words "grant licenses to traders;" and on the question shall those words stand? the yeas and nays being required by Mr. Houstoun:

New-Hampshire,	Mr. Livermore	no	} divided
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
	Mr. Grayson	ay	
Virginia,	Mr. Monroe	ay	} ay
	Mr. Carrington	ay	
	Mr. Lee	ay	
	Mr. Bloodworth	no	
North-Carolina,	Mr. White	no	} no
	Mr. Bull	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Parker.	ay	
Georgia,	Mr. Houstoun	no	} no
	Mr. Few	no	

So it was resolved in the affirmative.

M O N D A Y, July 24, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Connecticut, Mr. Johnson.

On

On a report relative to the capture of the sloop Chester, and a note from the minister plenipotentiary of the United Netherlands in behalf of the owners or claimers of the said sloop, being in Holland, and other papers relative to the property, capture and condemnation thereof:

Resolved, That the court of appeals be and they are hereby authorised and empowered, upon application made to them by the owners or claimants of the said sloop Chester, her appurtenances and cargo, at their session in November next, to examine and determine, by way of appeal, upon the merits of the said application for a new trial; and if in the opinion of the said court, there should appear just cause to rehear, try, adjudge and determine respecting the capture and condemnation thereof, and to reverse the decree of the court of admiralty of South-Carolina, in whole or in part, or to affirm the same, with costs, as to law and justice shall appertain; and that this resolution be published and shall be deemed and taken as notice to the parties concerned, that the said cause will be tried and determined at that time.

Congress resumed the consideration of the ordinance respecting Indian affairs--when a motion was made by Mr. Few, seconded by Mr. Bloodworth, to amend the ordinance by adding these words, "Provided that this ordinance shall not be construed to operate so as that the legislative right of any state within its own limits be infringed or violated."

A motion was made by Mr. Pinckney, seconded by Mr. Grayson, to postpone the consideration of this amendment, in order to amend the preamble by adding thereto these words.

"And whereas the United States in Congress assembled, under the 9th of the articles of confederation and perpetual union, have the sole and exclusive right and power of regulating the trade and managing all affairs with the Indians not members of any of the states, provided that the legislative right of any state, within its own limits, be not infringed or violated."

On the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Bloodworth:

New-Hampshire,

Mr. Livermore

Mr. Long

no

ay

} divided

Massachusetts,

Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} *
New-York,	Mr. Haring	no	
	Mr. Smith	no	} no
New-Jersey,	Mr. Symmes	ay	
	Mr. Hornblower	ay	} ay
Pennsylvania,	Mr. Pettit	ay	
	Mr. Bayard	ay	} ay
Maryland,	Mr. Henry	ay	
	Mr. Harrison	ay	} ay
Virginia,	Mr. Ramsay	ay	
	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Bloodworth	no	
	Mr. White	no	} no
South-Carolina,	Mr. Pinckney	ay	
	Mr. Parker	ay	} ay
Georgia,	Mr. Houston	no	
	Mr. Few	no	} no

So it was resolved in the affirmative.

The preamble being amended, the ordinance was read a second time :

Ordered, That Wednesday next be assigned for the third reading.

On the report of a committee consisting of Mr. Symmes, Mr. Lee and Mr. King, to whom was referred a letter and other papers relative to Scotoh, of the Wyandot tribe of Indians.

Resolved, That goods to the amount of one hundred dollars, be purchased by the secretary at war and presented to Scotoh and his companions, in testimony of the friendship of the United States towards the Half-king, the father of Scotoh, and the Wyandot nation, and that the secretary at war take order accordingly.

Resolved, That Scotoh be furnished with fifty dollars, to defray his expences in returning to his own country ; and that the board of treasury take order accordingly.

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T U E S D A Y, *July 25, 1786.*

Congress assembled--Present as yesterday.

The board of treasury to whom was referred their letter of the 29th June last, together with sundry letters from the comptroller of the state of Pennsylvania, to Thomas Smith esquire, commissioner of the loan-office in the said state, having reported, "That, the act of the state of Pennsylvania of the 8th of March 1786, directs their treasurer to pay to the order of the United States, such a sum in specie as together with the sums, paid on account of the requisition of the 27th and 28th April 1784 and 27th September, 1785, would make the sum of 557.091 dollars : That the specie sums required of the state of Pennsylvania, by the acts of Congress of the 30th October, 1781, 27th and 28th April 1784, and 27th September 1785, amount to 643.749 dollars ; so that the deficiency of specie unprovided for by the act aforesaid, is 86.658 dollars. On an attentive perusal of this act, we find that it does not, by a literal construction, include payments made under the act of the 30th October 1781 ; and previous to the requisition of the 27th and 28th of April, 1784 ; but from the connection which exists betwixt the acts last mentioned, and from the sum in specie directed to be paid, it cannot be doubted but the law had in contemplation the payments made previous to the requisition of the 27th and 28th April 1784 ; since, by a different construction, the act would provide for the sum of 259.975 dollars more than the acts of the 27th and 28th April, 1784, and of the 27th September 1785, require of the state ; for by the acts first mentioned, is required of the state in specie 160,323, dollars, and by the act of the 27th September, 1785 136,793, making 297,116 dollars. The excess of provision on this construction of the act is 259,975 to make 557.091.

When to these circumstances, is added the construction, which as the board have been informed, the state of Pennsylvania is disposed to make on the requisitions of the 27th and 28th April, 1784. it will appear clearly that the legislature had in contemplation, by the act above-mentioned, the payments made to the general treasury, previous to the 27th April, 1784. For as this board have observed in their letter to Congress of the 29th of June last, the state claims a right

right of placing to the account of facilities, one fourth part of their whole quota, of the moiety of eight millions of dollars, required by the act of Congress of the 30th October 1781; instead of confining it, to one fourth part of the balance which was due on the said moiety on the 27th April, 1784. This construction of the state, if admitted, would create a difference in the specie payments from the state of Pennsylvania, of 86,658 dollars, the exact amount of the deficiency of the specie provision as directed by their act of the 8th of March last.

On the whole, the board beg leave to observe, that as the act may be so construed as to make a full provision for the requisition of the 27th September last, and as the state of Pennsylvania ranks among the foremost of the states in a compliance with federal requisitions: They are of opinion that the continuation of the issue of indents in that state would not be improper; provided that such emission of indents be not considered as warranting that construction of the requisition of the 27th and 28th of April, 1784, which the state has thought proper to make, and by which construction 86,658 dollars in specie, due to the United States upon that requisition, has not been provided for in the legislative act of the said state, of the 8th of March last: They therefore submit to the consideration of Congress the following resolve, viz. That the commissioners of the board of treasury be authorised and directed to give orders for the continuation of the issue of indents of interest in the state of Pennsylvania, agreeably to the requisition of the 27th September last; provided that such emission of indents be not considered as warranting that construction of the requisition of the 27th and 28th of April, 1784, which the state has thought proper to make, and by which construction 86,658 dollars in specie, due to the United States upon that requisition, have not been provided for in the legislative act of the said state, of the 8th of March last."

A motion was made by Mr. Pettit seconded by Mr. Bayard, that the above report be referred to the board of treasury to take order. And on the question to agree to this motion, the yeas and nays being required by Mr. Grayson:

New-Hampshire.

Mr. Livermore

Mr. Long

no } no
no }

Massachusetts

Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	no	} *
New-York,	Mr. Haring	no	
	Mr. Smith	no	} no
New-Jersey,	Mr. Symmes	no	
	Mr. Hornblower	ay	} divided
Pennsylvania,	Mr. Pettit	ay	
	Mr. Bayard	ay	} ay
Maryland,	Mr. Henry	no	
	Mr. Harrison	no	} no
	Mr. Ramsay	no	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	
	Mr. Lee	no	
North-Carolina,	Mr. Bloodworth	no	} no
	Mr. White	no	
South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Huger	no	
	Mr. Parker	no	
Georgia,	Mr. Houston	no	} no
	Mr. Few	no	

So it passed in the negative.

W E D N E S D A Y, July 26, 1786.

Congress assembled---Present as before.

T H U R S D A Y, July 27, 1786.

Congress assembled--Present as before.

The committee consisting of Mr. King, Mr. Johnson, Mr. Monroe, Mr. Lawrance, and Mr. Pettit, to whom was referred an act of the state of New-York, passed on the fourth day of May last, entitled, "an act for giving and granting to the United States in Congress assembled, certain

certain imposts and duties on foreign goods imported into that state, for the special purpose of paying the principal and interest of the debt contracted in the prosecution of the late war with Great Britain," having reported: That by the act of Congress of the 18th April 1783, it is recommended to the several states as indispensibly necessary to the restoration of public credit, and to the punctual and honorable discharge of the public debts, to invest the United States in Congress assembled, *with a power to levy* certain duties upon goods imported into the United States; provided that the collectors of the said duties should be appointed by the states within which their offices are to be respectively exercised, but when so appointed to be amenable to and removeable by the United States in Congress assembled alone. The committee conceive that the investing of the United States in Congress assembled with this power, which includes that of forming the necessary regulations or revenue laws, with suitable penalties, of declaring the money in which the said duties shall be received, of establishing the number of revenue officers, and ascertaining their duties, has been, and must be, considered as an essential part of the plan submitted to the several states for their adoption: The exercise of this power by thirteen separate authorities would introduce different laws upon the same subject, ordain various penalties for the same offence, destroy the equality of the tax, and might in a great measure defeat the revenue. All the states, except New-York, having in pursuance of the recommendation of the 18th of April, 1783, granted the impost by acts vesting this power, with certain qualifications, exclusively in the United States in Congress assembled; the long continued embarrassments of the public finances, and the indispensable demands on the federal government, dictate the necessity of an immediate and unanimous adoption of this measure. Impressed with these opinions, the committee have carefully examined the act of the state of New-York to them referred, and submit the following remarks:--1st. That several of the states which have passed acts investing the United States in Congress assembled, under certain restrictions, with power to levy the duties on goods imported into the United States, agreeably to the recommendation of the 18th of April, 1783, have inserted in their acts, express conditions that the

the

same shall not be in force, or begin to operate, until all the states in the confederacy have passed acts vesting the United States in Congress assembled, with power to levy in the several states, like duties. 2d. That the act of the state of New-York, referred to the committee, does not invest the United States in Congress assembled with power to levy in that state the duties therein mentioned; but reserves to the state of New-York, the sole power of levying and collecting the same in the manner directed in and by an act of that state, entitled, "an act imposing duties on certain goods, wares and merchandize imported into the said state," passed the 18th day of November, 1784, and consequently prevents the operation of the impost in those states which have made the exercise of this power by the United States in Congress assembled, an indispensable and express condition of their grants. 3d. That the said act does not make the collectors of the said duties amenable to, and removeable by the United States in Congress assembled; but ordains that upon conviction before the supreme court of judicature, or in the court of exchequer of the state of New-York, for any *default or neglect* in the execution of the duties required of them by the said act, or by an act of that state entitled, "an act imposing duties on certain goods, wares and merchandize imported into the said state," they shall be removed from office, and others appointed instead of the persons so convicted; which is a material departure from the plan recommended by Congress. 4th That by an act of the state of New-York, entitled "an act for emitting the sum of two hundred thousand pounds in bills of credit for the purposes therein mentioned," passed the 18th of April, 1786, it is among other things enacted "that gold and silver, and the bills of credit emitted by virtue of the said act shall be received by the collector for duties arising on goods, wares and merchandize imported into the said state. after the passing of the said act," in consequence whereof, admitting that the system of a general impost, could be put in operation, it would remain optional with the importer to pay the duty on goods imported into the state of New-York, in specie, or bills of credit emitted by virtue of the aforesaid act. 5th If bills of credit of the state of New-York should be received from the importer in that state, upon the principles of equal justice, bills of credit emitted by

any other state, must be received from the importer of goods in such state, and thereby instead of the system yielding a sum in actual money, nothing but paper would be brought into the federal treasury, which would be wholly inapplicable to the payment of any part of the interest or principal of the foreign debt of the United States. Whereupon the committee submit the following resolution: *Resolved*, that the act of the state of New-York, entitled, "An act for giving and granting to the United States in Congress assembled, certain imposts and duties on foreign goods imported into that state, for the special purpose of paying the principal and interest of the debts contracted in the prosecution of the late war with Great Britain, so essentially varies from the system of impost recommended by the United States in Congress assembled on the 18th day of April 1783, that the said act is not, and cannot be considered as a compliance with the same."

The foregoing report being under debate, a motion was made by Mr. Monroe, seconded by Mr. Livermore, that the consideration thereof be postponed, in order to take up the following proposition, viz.

"That a committee be appointed to draft an ordinance to carry into effect the system of impost recommended to the several states for their adoption, on the 18th of April, 1783, in conformity with the acts of the twelve states which have complied with the said recommendation, and to take effect so soon as the state of New-York shall have fully acceded to it, and the states of Pennsylvania and Delaware so modified their compliance as to enable the United States to carry it into effect upon that event."

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Bloodworth:

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	no	} *

New-York,

New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} divided
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	no	
	Mr. Ramsay	ay	} ay
Virginia,	Mr. Grayson	ay	
	Mr. Monroe	ay	} ay
	Mr. Carington	ay	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	ay	} ay
South-Carolina,	Mr. Bull	ay	
	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
	Mr. Parker	no	} divided
Georgia,	Mr. Houstoun	no	
	Mr. Few	ay	} divided

So it was resolved in the affirmative.

The proposition being then debated, and sundry amendments made, on the question to agree to the same as amended, the yeas and nays being required by Mr. Bloodworth:

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	no	} divided
	Mr. King	ay	
	Mr. Sedgwick	no	} divided
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	no	} no
New-York,	Mr. Haring	no	
	Mr. Smith	no	} ay
New-Jersey,	Mr. Symmes	ay	
	Mr. Hornblower	ay	} ay
Pennsylvania,	Mr. Pettit	ay	
	Mr. Bayard	ay	} ay

Maryland

Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	no	
	Mr. Ramsay	ay	} ay
Virginia,	Mr. Grayson	ay	
	Mr. Monroe	ay	} ay
	Mr. Carrington	ay	
	Mr. Lee	no	} ay
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	ay	} ay
South-Carolina,	Mr. Bull	ay	
	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
	Mr. Parker	ay	} ay
Georgia,	Mr. Few	ay	

So it was

Resolved, That a committee be appointed to draft an ordinance to carry into effect the system of impost recommended to the several states for their adoption on the 18th of April, 1783, in conformity with the acts of such states as have complied with the said recommendation, and to take effect so soon as the state of New-York shall have passed an act acceding to the said system in like manner with the other states, and the states of Pennsylvania and Delaware shall have repealed the clauses in their respective acts, restraining the operation of their grants of the impost, until all the states shall have granted to Congress the supplementary funds; and report such further measures as may be necessary to be taken thereon.

F R I D A Y, July 28, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Manning.

M O N D A Y, July 31, 1786.

Congress assembled--Present, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia. On

On a letter of the 30th from the secretary at war, requesting leave of absence for a few weeks:

Ordered, That leave be granted.

T U E S D A Y, August 1, 1786.

Congress assembled--Present as yesterday.

Congress resumed the consideration of a report of the board of treasury, on a requisition for the year 1786: And a motion was made by the delegates for South-Carolina, to amend the said report, by adding thereto as follows: "And whereas the United States in Congress assembled, by the act of the 30th October, 1781, required the states to pay into the federal treasury, eight millions of dollars, and by their requisition of the 27th April, 1784, suspended the operation of one half of the said requisition of the 30th October, and called on the states to compleat the payment of the other half; and by their act of the 27th September, 1785, required of the states to pay three fourths of the remaining half of the said requisition of the 30th October, 1781; therefore *Resolved*, That any state which shall have paid a sum exceeding the said state's quota of that part of the said requisition of the 30th October, 1781, which was not suspended by the requisition of the 27th April, 1784, and the completion of which was demanded by the last mentioned requisition, and also the said state's quota of that other part of the said requisition of the 30th October, 1781, which was called for by the requisition of the 27th September, 1785, shall have credit for the amount of the sums so exceeding the quotas above mentioned, on the present requisition:" And on the question to agree to this amendment, the yeas and nays being required by Mr. Pinckney:

New-Hampshire.

Mr. Livermore

no

Mr. Long

no

Massachusetts.

Mr. Gorham

no

Mr. King

no

Mr. Sedgwick

no

Rhode-Island,

Mr. Manning

no

Mr. Miller

no

Connecticut,

Mr. Johnson

no

Mr. Sturges

ay

New-York,

New-York,	Mr. Haring	no	}	no
	Mr. Smith	no		
New-Jersey,	Mr. Symmes	no	}	no
	Mr. Hornblower	no		
Pennsylvania,	Mr. Pettit	no	}	no
	Mr. Bayard	no		
Maryland,	Mr. Henry	no	}	no
	Mr. Harrison	no		
Virginia,	Mr. Ramsay	ay	}	ay
	Mr. Grayson	ay		
	Mr. Monroe	ay		
	Mr. Carrington	ay		
North-Carolina,	Mr. Lee	ay	}	ay
	Mr. Bloodworth	ay		
South-Carolina,	Mr. White	ay	}	ay
	Mr. Bull	ay		
	Mr. Pinckney	ay		
	Mr. Huger	ay		
Georgia,	Mr. Parker	ay	}	ay
	Mr. Houston	ay		
	Mr. Few	ay		

So it passed in the negative.

A motion was then made by the delegates of South-Carolina, to amend the report by adding as follows: "Whereas the United States in Congress assembled, by their act of 30th October, 1781, required of the states eight millions of dollars, 373,598 of which was assigned to the state of South-Carolina as their quota of the said requisition: And whereas the said state is entitled to a credit on the requisition abovementioned, for such supplies as were furnished the federal army in 1782, and 1783; therefore *Resolved*, That the state of South-Carolina shall have credit in specie on the said supplies in the present requisition, for so much as her share or proportion of the balance of the requisition of October, 1781, uncalled for by the Acts of the 27th April, 1784, and 27th September, 1785, amount to."

A motion was made by Mr. Pettit, seconded by Mr. Smith, to postpone that amendment in order to take up the following: "Provided that so far as relates to the state of South-Carolina, this requisition be considered as including one million of dollars, being that part of the requisition of the 30th October, 1781, which hath heretofore remained
uncalled

uncalled for, so far as to entitle the said state to the benefit of paying the same, in such manner as she was entitled to pay her quota of the said requisition of the 30th October, 1781."

And on the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Pinckney:

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	no	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	no	} divided
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	no	} no
	Mr. Harrison	no	
	Mr. Ramsay	no	
Virginia,	Mr. Grayson	no	} no
	Mr. Monroe	no	
	Mr. Carrington	no	
North-Carolina,	Mr. Lee	no	} no
	Mr. Bloodworth	no	
	Mr. White	no	
South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Huger	no	
Georgia,	Mr. Parker	no	} no
	Mr. Houston	no	
	Mr. Few	no	

So the question was lost.

On the question to agree to the amendment, the yeas and nays being required by Mr. Pinckney:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	

Massachusetts

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Massachusetts,	Mr. Gorham	ay	} no
	Mr. King	no	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	no	} divided
	Mr. Sturges	ay	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New Jersey,	Mr. Symmes	no	} no
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	
	Mr. Parker	ay	} ay
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	

So the question was lost.

A motion was then made by Mr. Pettit, seconded by Mr. Miller, to amend the report by making provision for the payment of two years interest on the domestic debt, and instead of reading "domestic debt, one year's interest thereon, 1,606,560. 65-90ths dollars," to read domestic debt, two years interest thereon, 3,213,121. 40-90ths dollars." And on the question to agree to this amendment, the yeas and nays being required by Mr. Pettit :

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
			Rhode-

Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Conneſicut,	Mr. Johnson	ay	} divided
	Mr. Sturges	no	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jerſey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennſylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	no	} no
	Mr. Harriſon	no	
	Mr. Ramſay	no	} no
Virginia,	Mr. Grayſon	ay	
	Mr. Monroe	ay	} divided
	Mr. Carrington	no	
	Mr. Lee	no	} no
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	no	} divided
South-Carolina,	Mr. Bull	no	
	Mr. Pinckney	no	} no
	Mr. Huger	no	
Georgia,	Mr. Houſtoun	ay	} divided
	Mr. Few	no	

So the queſtion was loſt.

A motion was made by Mr. Grayſon, ſeconded by Mr. King, to amend the claufe of the report reſtraining the commiſſioner of the continental loan-office, from iſſuing certificates for the intereſt due on the domeſtic debt “ until the ſtate for which he is continental loan-officer ſhall have paſſed a legiſlative act complying with this requiſition,” by inserting the words, “ thereby providing adequate funds for” immediately after the words “ legiſlative act,” ſo that it read “ until the ſtate for which he is continental loan officer ſhall have paſſed a legiſlative act, thereby providing adequate funds for complying with this requiſition :” And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Grayſon :

New-Hampſhire.	Mr. Livermore	no	} no
	Mr. Long	no	
Maſſachuſetts.	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	no	} no
	X		

Rhode

Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	no	} divided
	Mr. Sturges	ay	
New-York,	Mr. Haring	no	} divided
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} *
Pennsylvania,	Mr. Pettit	ay	
	Mr. Bayard	ay	} ay
Maryland,	Mr. Henry	ay	
	Mr. Harrison	ay	} ay
	Mr. Ramsay	no	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	} divided
North-Carolina,	Mr. Bloodworth	no	
	Mr. White	ay	} ay
South-Carolina,	Mr. Bull	ay	
	Mr. Pinckney	ay	} ay
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	} ay

So it was resolved in the affirmative.

W E D N E S D A Y, August 2, 1786.

Congress assembled--Present as before.

Congress resumed the consideration of the requisition for 1786, and a motion was made by the delegates for South-Carolina, to amend the requisition by adding thereto, "And whereas the state of South-Carolina, in consequence of supplies furnished the federal army in 1782 and 1783, is entitled to a credit of her full quota of the requisition of the 30th October, 1781, for eight millions of dollars, the payment of seven millions of which have only been called for by the requisitions of the 27th April, 1784, and 27th September, 1785; *Resolved*, That the said state shall be entitled, on account of the said supplies, to a credit in the present requisition, for the sum her quota of the balance of the said requisition of the 30th October, 1781, amounts to, had the same been included in the present demand:

On the question to agree to this amendment, the yeas and nays being required by Mr. Pinckney:

New-

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	ay	} no
	Mr. King	no	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	ay	} divided
	Mr. Sturges	no	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Symmes	ay	} divided
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	} ay
Virginia,	Mr. Grayson	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	ay	} ay
South-Carolina,	Mr. Bull	ay	
	Mr. Pinckney	ay	
	Mr. Huger	ay	
	Mr. Parker	ay	} ay
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	

So the question was lost.

A motion was then made by the delegates for South-Carolina, to amend the requisition by adding the following proviso:

“Provided, that so far as relates to the state of South-Carolina, this requisition be considered as including one million of dollars, being that part of the requisition of 30th October, 1781, which hath heretofore remained uncalled for, so far as to entitle the said state to the benefit of paying the same in such manner as she was entitled to pay her quota of the said requisition.”

And

And on the question to agree to this amendment, the yeas and nays being required by Mr. Pinckney:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	ay	} divided
	Mr. Miller	no	
Connecticut,	Mr. Johnson	ay	} divided
	Mr. Sturges	no	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Symmes	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Carrington	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	
	Mr. Parker	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So it was resolved in the affirmative.

A motion was then made by Mr. Pettit, seconded by Mr. Bayard, to strike out the following clause of the estimate, viz.

“For the payment of principal and interest, due (on foreign debt) in the year 1787, which ought to be provided for this year, 1,392,059. 17-90ths dollars.”

On the question shall that clause stand, the yeas and nays being required by Mr. Pettit:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,			

Massachusetts,	Mr. Gorham	no	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Symmes	ay	} divided
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
	Mr. Grayson	ay	
Virginia,	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
	Mr. Bloodworth	ay	
North-Carolina,	Mr. White	ay	} ay
	Mr. Bull	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
	Mr. Parker	ay	
	Mr. Houstoun	ay	
Georgia,	Mr. Few	ay	} ay

So it was resolved in the affirmative.

On the question,

Resolved, That for the services of the present year, one thousand seven hundred and eighty six, for the payment of the interest, and two instalments of principal on the French and Dutch loans, that are payable according to the contracts, in the beginning of the year 1787, and for the payment of one year's interest on the domestic debt, it will be necessary that three millions, seven hundred and seventy-seven thousand, and sixty-two dollars 43-90ths, be paid into the common treasury, on or before the first day of January next, to be appropriated to the following purposes.

For the civil department,	-	Dollars.	169,352. 86
Military department,	-	-	168,274. 50
Contingencies,	-	-	94,294. 65
			Indian

Indian affairs,	-	-	-	6,000
The department of the geographer,	-	-	-	8,953
F O R E I G N D E B T.				

For the payment of interest due this year on the French and Dutch loans,	317,985. 10	
For ditto of principal and interest due in the year 1787, which ought to be provided for this year,	1,392,059. 17	
For a balance of interest, due on the Spanish loan,	2396. 55	
For one year's interest on debts due to foreign officers,	11,185. 55	1,723,626. 47
Domestic debt, one year's interest thereon,	-	1,606,560. 65
	Dollars,	<u>3,777,062. 43</u>

That the *QUOTAS* of the several *STATES* be as follows:

	Indents.	Specie.
New-Hampshire,	-	76,268
Ditto,	56,452	
Massachusetts,	-	324,746
Ditto,	240,370	
Rhode-Island,	-	46,764
Ditto,	34,613	
Connecticut,	-	191,135
Ditto,	141,474	
New-York,	-	185,567
Ditto,	137,434	
New-Jersey,	-	120,619
Ditto,	89,279	
Pennsylvania,	-	296,908
Ditto,	219,765	
Delaware,	-	32,475
Ditto,	24,037	
Maryland,	-	204,775
Ditto,	151,570	
		Virginia,

Virginia,	-	-	371,136
Ditto,	-	274,707	
North-Carolina,	-	-	157,732
Ditto,	-	116,749	
South-Carolina,	-	-	139,017
Ditto,	-	103,015	
Georgia,	-	-	23,288
			<hr/>
			2,170,430 Specie
Ditto,	-	17,167	
		<hr/>	<hr/>
			1,606,632 Indents
			<hr/>
		Total,	3,777,062

That the foregoing requisition is made in virtue of the powers of the confederation, and is obligatory on the states as such, and when paid, shall be passed to the credit of the states respectively, on the terms prescribed by the resolve of Congress of the 6th day of October, 1779, and shall be applied in conformity to the statement in the preceding part of this requisition giving preference according to the order in which they are placed in the estimate.

As one million, six hundred and six thousand, five hundred and sixty dollars called for is to be applied to the payment of the interest on the domestic debt, that the several states be allowed to discharge the same by indents for interest on loan-office certificates, and upon other certificates of the liquidated debts of the United States: And to ascertain the evidences of interest due upon loan-office certificates, the holders thereof respectively, shall be at liberty to carry them to the office from which they issued, and the holders of other certificates of liquidated debts of the United States, to carry the same to the loan office of that state wherein they are inhabitants, or if foreigners, to any loan-office within the United States, and to have the interest thereon settled and certified to the last day of the year 1785.

Provided that the commissioner of the continental loan-office in any state, shall not any pretence whatever, settle or issue any certificate or certificates, for the interest due on any continental loan office certificate, or other certificate of liquidated debts, until the state for which he is continental loan-

loan officer, shall have passed a legislative act thereby providing adequate funds for complying with this requisition; nor shall the commissioner aforesaid, in any state that shall have complied with this requisition, issue any certificate, or take any other measure whereby a discrimination may be made by such state, between the holders of loan office certificates issued from his office, who are citizens of that state, and foreigners, or the citizens of any other state that shall have complied with this requisition: Provided always, that any continental loan officer shall issue certificates for interest as aforesaid, due on continental loan-office certificates issued from his office, and belonging to foreigners, and also to the citizens of such states as shall have passed a legislative act complying with this requisition.

That every commissioner of the continental loan-office, previously to settling and issuing certificates as aforesaid, for the interest due on certificates of liquidated debts, other than loan office certificates, shall administer an oath or affirmation, or require a certificate signed by one of the persons whom the state in which the commissioner resides, shall, in the legislative act complying with this requisition, appoint, that he has administered to the owner or possessor of every such certificate, an oath or affirmation, that the same is *bona fide* the property of the particular state in which the said commissioner resides, or of a citizen or citizens of the said state, or of some corporate body or charitable institution within the same, or of some person who is not a citizen of any of the United States, describing the certificate or certificates alluded to in every such oath or affirmation, in such manner as shall be necessary to identify the same, or as may be prescribed by the legislature of the said state.

And for preventing the depreciation of certificates to be issued as aforesaid, the legislature of each state is required to provide, in the act complying with this requisition, that if, on the first day of July, 1787, the said state's quota of the said certificates so to be issued, shall not be in the hands of the state treasurer, or other proper officer, the deficiency shall be collected and paid into the continental treasury in specie, which, when so paid, is hereby appropriated to the redemption of such surplus certificates.

That the board of treasury furnish the several loan officers, with certificates to be issued for interest as aforesaid; and
also

also with such checks and instructions, as they from time to time shall judge necessary, to prevent counterfeited certificates of debts from obtaining a settlement of interest, and to detect counterfeit evidences of interest, and thereby to avoid receiving them in discharge of taxes : which certificates of interest being parted with by the holders of the principal, shall be deemed evidence that he has received satisfaction for the same ; and therefore shall be receivable from the bearer in lieu of money, in the proportion of one dollar and one third in specie for one dollar in indents, in any other state in the union, as well as in the state in which they were issued. That the state receiving such certificates, and paying the same into the public treasury, with a proportion of specie as aforesaid, shall have credit therefor, which payment shall be considered as a discharge of the interest on the domestic debt, in the proportion that each state avails itself of the said certificates of interest. That all loan office certificates issued after the first day of March, 1778, shall be reduced to their specie value, conformably to the resolution of Congress of the 28th June, 1780, and the interest shall be ascertained and settled agreeably to the specie value of the certificate.

Provided, that so far as relates to the state of South-Carolina, this requisition be considered as including one million of dollars, being that part of the requisition of the 30th October 1781, which hath heretofore remained uncalled for, so far as to entitle the said state to the benefit of paying the same in such manner, as she was entitled to pay her quota of the said requisition.

T H U R S D A Y, *August 3, 1786.*

Congress assembled--Present as before.

On a report of the secretary at war on the expediency of retaining West-Point as a military post :

Resolved; That the board of treasury endeavour to negotiate with the legal proprietor of West-Point, on Hudson's river, the purchase of the same for the United States, on an equitable appraisement, together with so much land contiguous thereto as shall be deemed by the secretary at war necessary to be included within the limits of the garrison ; and that the board agree for the terms of
Y payment

payment in the manner most consistent with the state of the finances of the United States.

F R I D A Y, *August 4, 1786.*

Congress assembled—Present as before.

On a report of the secretary at war, to whom was referred his letter of the 21st July, together with the proceedings and report of the court of enquiry, held pursuant to the resolution of the 27th March, 1786:

Resolved, That the secretary at war direct major Wyllys to be released from his arrest.

Congress took up the ordinance for Indian affairs, for a third reading, when a motion was made by Mr. Houstoun, seconded by Mr. Few, to postpone so much of the ordinance as relates to the southern Indians: And on the question to postpone, the yeas and nays being required by Mr. Houstoun:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	ay	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	
New-York,	Mr. Haring	ay	} divided
	Mr. Smith	no	
New-Jersey,	Mr. Symmes	ay	} divided
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Harrison	no	} divided
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	no	} divided
	Mr. Monroe	ay	
	Mr. Carrington	ay	
North-Carolina,	Mr. Lee	no	} ay
	Mr. Bloodworth	ay	
	Mr. White	ay	
			South-

South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Huger	no	
	Mr. Parker	no	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So the question was lost.

MONDAY, August 7, 1786.

Congress assembled---Present as before.

On a report of the secretary at war, enclosing the resignation of major Fish:

Resolved, That the resignation of major Fish be accepted.

Congress resumed the consideration of the ordinance on Indian affairs, and a motion being made by Mr. Carrington, seconded by Mr. Few, to amend the said ordinance by adding,

“ And be it further ordained, that in all cases where transactions with any nation or tribe of Indians, shall become necessary to the purposes of this ordinance, which cannot be done without interfering with the legislative rights of a state, the superintendant in whose district the same shall happen, shall act in conjunction with the authority of such state.

On the question to agree to this amendment, the yeas and nays being required by Mr. Few:

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	ay	} divided
	Mr. Miller	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
			Maryland,

Maryland,	Mr. Henry	ay	} ay
	Mr. Hindman	ay	
	Mr. Harrison	ay	
Virginia,	Mr. Ramsay	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
North-Carolina,	Mr. Lee	ay	} ay
	Mr. Bloodworth	ay	
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	
Georgia,	Mr. Houston	ay	} ay
	Mr. Few	ay	

So it was resolved in the affirmative.

The ordinance being amended and read a third time; on the question shall this ordinance pass, the yeas and nays being required by Mr. Pinckney:

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	ay	} divided
	Mr. Miller	no	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Hindman	ay	
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	

North-

North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	} ay
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	

So it passed as follows:

AN ORDINANCE for the Regulation of INDIAN AFFAIRS.

W H E R E A S the safety and tranquillity of the frontiers of the United States, do in some measure, depend on the maintaining a good correspondence between their citizens and the several nations of Indians in amity with them: And whereas the United States in Congress assembled, under the ninth of the articles of confederation and perpetual union, have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians not members of any of the states; provided that the legislative right of any state within its own limits be not infringed or violated.

Be it ordained by the United States in Congress assembled, That from and after the passing of this ordinance, the Indian department be divided into two districts, viz. The *southern*, which shall comprehend within its limits, all the nations in the territory of the United States, who reside southward of the river Ohio; and the *northern*, which shall comprehend all the other Indian nations within the said territory, and westward of Hudson river: Provided that all councils, treaties, communications and official transactions, between the superintendant hereafter mentioned for the northern district, and the Indian nations, be held, transacted and done, at the outpost occupied by the troops of the United States, in the said district. That a superintendant be appointed for each of the said districts, who shall continue in office for two years, unless sooner removed by Congress, and shall reside within or as near the district for which he shall be so appointed, as may be convenient for the management of its concerns. The said superintendants, shall attend to the execution of such regulations

tions, as Congress shall from time to time establish respecting Indian affairs. The superintendant for the northern district, shall have authority to appoint two deputies, to reside in such places as shall best facilitate the regulations of the Indian trade, and to remove them for misbehaviour. There shall be communications of all matters relative to the business of the Indian department, kept up between the said superintendants, who shall regularly correspond with the secretary at war, through whom all communications respecting the Indian department, shall be made to Congress; and the superintendants are hereby directed to obey all instructions, which they shall from time to time receive from the said secretary at war. And whenever they shall have reason to suspect, any tribe or tribes of Indians, of hostile intentions, they shall communicate the same to the executive of the state or states, whose territories are subject to the effect of such hostilities. All stores, provisions or other property, which Congress may think necessary for presents to the Indians, shall be in the custody and under the care of the said superintendants, who shall render an annual account of the expenditures of the same, to the board of treasury.

And be it further ordained, That none but citizens of the United States, shall be suffered to reside among the Indian nations, or be allowed to trade with any nation of Indians, within the territory of the United States. That no person, citizen or other, under the penalty of five hundred dollars, shall reside among or trade with any Indian or Indian nation, within the territory of the United States, without a license for that purpose first obtained from the superintendant of the district, or one of the deputies, who are hereby directed to give such license to every person, who shall produce from the supreme executive of any state, a certificate under the seal of the state, that he is of good character and suitably qualified, and provided for that employment, for which license he shall pay the sum of fifty dollars to the said superintendant for the use of the United States. That no license to trade with the Indians shall be in force for a longer term than one year; nor shall permits or passports be granted to any other persons than citizens of the United States to travel through the Indian nations, without their having previously made their business known.

known to the superintendant of the district; and received his special approbation. That previous to any person or persons obtaining a license to trade as aforesaid, he or they shall give bond in three thousand dollars to the superintendant of the district, for the use of the United States, for his or their strict adherence to, and observance of such rules and regulations as Congress may from time to time establish for the government of the Indian trade. All sums to be received by the said superintendants, either for licenses or fines, shall be annually accounted for by them with the board of treasury.

And be it further ordained, That the said superintendants, and the deputies, shall not be engaged, either directly or indirectly in trade with the Indians, on pain of forfeiting their offices, and each of the superintendants shall take the following oath, previous to his entering on the duties of his appointment—"I, A. B. do swear, that I will well and faithfully serve the United States in the office of superintendant of Indian affairs, for the district: That I will carefully attend to all such orders and instructions as I shall from time to time receive from the United States in Congress assembled, or the secretary at war: That I will not be concerned, either directly or indirectly in trade with the Indians, and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favor or affection." And the superintendant for the northern district, shall administer to his deputies, the following oath, before they proceed on the duties of their office, "I, A. B. do swear, that I will well and faithfully serve the United States, in the office of deputy superintendant of Indian affairs in the northern district, that I will carefully attend to all such orders and instructions as I shall from time to time receive from the United States in Congress assembled, the secretary at war, or the superintendant of the district aforesaid, and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favor or affection." And the said superintendants, and deputy-superintendants, shall each of them give bond with surety to the board.

board of treasury, in trust for the United States ; the superintendants each in the sum of six thousand dollars, and the deputy-superintendants each in the sum of three thousand dollars, for the faithful discharge of the duties of their office.

And it is further ordained, That all fines and forfeitures which may be incurred by contravening this ordinance, shall be sued for and recovered before any court of record within the United States, the one moiety thereof to the use of him or them who may prosecute therefor, and the other moiety to the use of the United States. And the said superintendants shall have power, and hereby are authorised, by force to restrain therefrom, all persons who shall attempt an intercourse with the said Indians without a license therefor obtained as aforesaid.

And be it further ordained, That in all cases where transactions with any nation or tribe of Indians shall become necessary to the purposes of this ordinance, which cannot be done without interfering with the legislative rights of a state, the superintendant in whose district the same shall happen, shall act in conjunction with the authority of such state.

DONE by the United States in Congress assembled,
this seventh day of August, A. D. one thousand
seven hundred and eighty-six, &c.

The commissioner for settling the accounts of the late army, to whom was referred a petition of John Stevens, late a captain in the Connecticut line, having reported thereon :

On motion of Mr. Johnson, seconded by Mr. Long :

Resolved, That it be and is hereby recommended to the state of Connecticut, to settle the claims of captain John Stevens, for pay and depreciation, as a captain of a company in the Connecticut line of the army, agreeably to the act of Congress of the 25th May, 1781.

T U E S D A Y, August 8, 1786.

Congress assembled--Present as before.

On a report of the board of treasury, to whom was referred a letter of the 13th October, 1785, from the secretary for foreign affairs, transmitting a letter from Don Diego de Gardoqui :

Resolved,

Resolved, That the board of treasury take order for paying whatever balance shall appear due from the navy board of the eastern department, to Joseph Gardoqui and sons, of Bilboa, on a certificate from the commissioner of the marine department, ascertaining the same; and that the navy be charged with the amount.

On motion of Mr. Pinckney, seconded by Mr. Lee:

Resolved, That the salary of the superintendant of Indian affairs for the northern district, be one thousand dollars, and of the deputies of the said district, five hundred dollars each, per annum; and that the salary of the superintendant for the southern district, be one thousand dollars per annum.

Ordered, That Monday next be assigned for the election of a superintendant for the northern district.

On a report of the board of treasury:

Resolved, That the standard of the United States of America, for gold and silver, shall be eleven parts fine and one part alloy.

That the money unit of the United States, being by the resolve of Congress of the 6th July, 1785, a dollar, shall contain of fine silver, three hundred and seventy-five grains, and sixty-four hundredths of a grain.

That the money of account, to correspond with the division of coins, agreeably to the above resolve, proceed in a decimal ratio, agreeably to the forms and manner following, viz:

Mills,--The lowest money of account, of which one thousand shall be equal to the federal dollar, or money unit, - - - 0.001

Cents,--The highest copper piece, of which one hundred shall be equal to the dollar, 0.010

Dimes,--The lowest silver coin, ten of which shall be equal to the dollar, - - - 0.100

Dollar,--The highest silver coin, - - - 1.000

That betwixt the dollar and the lowest copper coin, as fixed by the resolve of Congress of the 6th July, 1785, there shall be three silver coins, and one copper coin.

That the silver coins shall be as follows: One coin containing one hundred and eighty-seven grains, and eighty two hundredths of a grain of fine silver, to be called *A Half Dollar*: One coin containing seventy-five grains, and one hundred and twenty-eight thousandths of a grain of fine silver, to be called *A Double Dime*: And one coin

containing thirty-seven grains and five hundred and sixty-four thousandths of a grain of fine silver, to be called *A Dime*.

That the two copper coins shall be as follows; one equal to the one hundredth part of the federal dollar, to be called *A Cent*: And one equal to the two hundredth part of the federal dollar, to be called *A Half Cent*.

That two pounds and a quarter avoirdupois weight of copper, shall constitute one hundred cents.

That there shall be two gold coins: One containing two hundred and forty-six grains, and two hundred and sixty-eight thousandths of a grain of fine gold, equal to ten dollars, to be stamped with the impresson of the American eagle, and to be called *An Eagle*: One containing one hundred and twenty-three grains, and one hundred and thirty-four thousandths of a grain of fine gold, equal to five dollars, to be stamped in like manner, and to be called *A Half-Eagle*.

That the mint price of a pound troy weight of uncoined silver, eleven parts fine and one part alloy, shall be nine dollars, nine dimes and two cents.

That the mint price of a pound troy weight of uncoined gold, eleven parts fine and one part alloy, shall be two hundred and nine dollars, seven dimes and seven cents.

Ordered, That the board of treasury report the draft of an ordinance for the establishment of a mint.

On a report of a committee, consisting of Mr. Lee, Mr. Pettit, and Mr. Carrington:

Resolved, That a monument be erected to the memory of Nathaniel Greene, esquire, at the seat of the federal government, with the following inscription:

Sacred to the memory of Nathaniel Greene, esquire, a native of the state of Rhode-Island, who died on the 19th of June, 1786, late major-general in the service of the United States, and commander of their army in the southern department.

The United States in Congress assembled, in honour of his patriotism, valour and ability, have erected this monument.

Resolved, That the board of treasury take order for the due execution of the foregoing resolution.

WEDNESDAY,

WEDNESDAY, August 9, 1786.

Congress assembled--Present as before.

On a report of the board of treasury, to whom was referred a memorial of Mr. P. Schuyler, late a commissioner for Indian affairs in the northern department :

Resolved, That in the settlement of the accounts of Philip Schuyler, late one of the commissioners of Indian affairs for the northern department, he be allowed at the rate of four dollars per day for every day he was actually employed in that business after the 19th day of April, 1779, he having received pay as a major-general in the service of the United States, until that period :

That the allowance aforesaid be extended to all the commissioners of Indian affairs in the northern department, during the time they were actually employed in the business of the said commission, the time actually employed, to be ascertained on the oath of the parties respectively.

On motion of Mr. Pinckney, seconded by Mr. Lee :

Whereas the states of Massachusetts, Connecticut, New-York and Virginia, have in consequence of the recommendation of Congress of the 6th day of September, 1780, made cessions of their claims to western territory, to the United States in Congress assembled, for the use of the United States :

Resolved, That the said subject be again presented to the view of the states of North-Carolina, South-Carolina and Georgia, who have not complied with so reasonable a proposition ; and that they be once more solicited to consider with candor and liberality the expectations of their sister states, and the earnest and repeated applications made to them by Congress on this subject.

On a report of the secretary at war :

Resolved, That the secretary at war pay the expences of Scotch, a Wyandot warrior, and his companions, during their residence in the city of New-York, and that the board of treasury furnish the money for the purpose.

On a report of the board of treasury :

Resolved, That the sum of thirty dollars be allowed to Jeremiah Jackson, William Alexander, Robert Wilkin, Blackall William Bull, Edward Butler, and James Gilchrist, late officers in the Pennsylvania line, respectively, to defray travelling charges from the southern army in March, 1782.

On the report of a committee, consisting of Mr. Pinckney, Mr. Grayson and Mr. Bloodworth, to whom was referred a letter from the secretary for foreign affairs:

Resolved, That the secretary for foreign affairs cause to be made out separate lists of the numbers, names and owners of the Negroes belonging to the citizens of each state, and carried away by the British, in contravention of the late treaty of peace; and that he transmit the said lists to the executives of the states to which they respectively belong.

T H U R S D A Y, *August 10, 1786.*

Congress assembled--Present as before.

Congress was resolved into a committee of the whole, on a communication from the secretary for foreign affairs:

Mr. Bull elected to the chair;

After some time the president resumed the chair, and Mr. Bull reported, that the committee have had under consideration the subject referred to them, but having come to no determination, desire leave to sit to-morrow.

Ordered, That leave be granted.

F R I D A Y, *August 11, 1786.*

Congress assembled--Present as before.

The order of the day being postponed, Congress took into consideration the report of a committee, consisting of Mr. Monroe, Mr. Pinckney, Mr. Livermore, Mr. Pettit and Mr. Sedgwick, and the first Paragraph being amended to read:

That an application be made immediately to the legislature of Pennsylvania, by a committee to attend and confer with the said legislature, to explain to them more fully the embarrassed state of the public finances, and to recommend it to the said state to repeal the clause in her act granting the impost, which suspends its operation until all the states shall have granted the supplementary funds, so as to enable, on her part, the United States to carry the said system into effect as soon as possible.

A motion was made by Mr. Lee, seconded by Mr. Smith, that the further consideration thereof be postponed: And on the question to postpone, the yeas and nays being required by Mr. Smith:

New-

New-Hampshire,	Mr. Livermore	no	}	no
	Mr. Long	no		
Massachusetts,	Mr. Gorham	no	}	no
	Mr. King	no		
	Mr. Sedgwick	no		
Rhode-Island,	Mr. Manning	no	}	no
	Mr. Miller	no		
Connecticut,	Mr. Johnson	ay	}	ay
	Mr. Sturges	ay		
New-York,	Mr. Haring	ay	}	ay
	Mr. Smith	ay		
New-Jersey,	Mr. Cadwalader	no	}	no
	Mr. Symmes	no		
	Mr. Hornblower	no		
Pennsylvania,	Mr. Pettit	ay	}	ay
	Mr. Bayard	ay		
Maryland,	Mr. Henry	ay	}	no
	Mr. Harrison	no		
	Mr. Ramsay	no		
Virginia,	Mr. Grayson	no	}	divided
	Mr. Monro	no		
	Mr. Carrington	ay		
	Mr. Lee	ay		
North-Carolina,	Mr. Bloodworth	no	}	no
	Mr. White	no		
South-Carolina,	Mr. Bull	no	}	no
	Mr. Pinckney	no		
	Mr. Huger	no		
	Mr. Parker	no		
Georgia,	Mr. Houstoun	ay	}	divided
	Mr. Few	no		

So it passed in the negative.

On the question to agree to the paragraph; the yeas and nays being required by Mr. Pettit:

New-Hampshire,	Mr. Livermore	ay	}	ay
	Mr. Long	ay		
Massachusetts,	Mr. Gorham	ay	}	ay
	Mr. King	ay		
	Mr. Sedgwick	ay		
Rhode-Island,	Mr. Manning	ay	}	ay
	Mr. Miller	ay		
Connecticut,	Mr. Johnson	no	}	no
	Mr. Sturges	no		

New-

New-York,	Mr. Haring	no	}	no
	Mr. Smith	no		
New-Jersey,	Mr. Cadwallader	ay	}	ay
	Mr. Symmes	ay		
	Mr. Hornblower	ay		
Pennsylvania,	Mr. Pettit	no	}	no
	Mr. Bayard	no		
Maryland,	Mr. Henry	no	}	ay
	Mr. Harrison	ay		
	Mr. Ramsay	ay		
Virginia,	Mr. Grayson	no	}	no
	Mr. Monroe	ay		
	Mr. Carrington	no		
	Mr. Lee	no		
North-Carolina,	Mr. Bloodworth	ay	}	ay
	Mr. White	ay		
South-Carolina,	Mr. Bull	ay	}	ay
	Mr. Pinckney	ay		
	Mr. Huger	ay		
	Mr. Parker	ay		
Georgia,	Mr. Houstoun	no	}	divided
	Mr. Few	ay		

So it was

Resolved, That an application be made immediately to the legislature of Pennsylvania, by a committee to attend and confer with the said legislature, to explain to them more fully the embarrassed state of the public finances, and to recommend it to the said state to repeal the clause in her act granting the impost, which suspends its operation until all the states shall have granted the supplementary funds, so as to enable, on her part, the United States in Congress assembled to carry the said system into effect as soon as possible.

Congress proceeded in the further consideration of the report : and thereupon,

Resolved, That it be earnestly recommended to the executive of the state of New-York, immediately to convene the legislature of the said state, to take into consideration the recommendation of the 18th of April, 1783, for the purpose of granting the system of impost to the United States, in such conformity with the acts and grants of the other states, as, on her part, to enable the United States.

States in Congress assembled, to carry the same into immediate effect.

On the question to agree to the above resolution; the yeas and nays having been required by Mr. Haring:

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Monroe	ay	} ay
	Mr. Carrington	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	
	Mr. Parker	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So it was resolved in the affirmative.

M O N D A Y, August 14, 1786.

Congress assembled--Present as before,

A motion was made by Mr. Houstoun, seconded by Mr. Carrington, to reconsider the resolution of the 11th; "that an application be made immediately to the legislature of Pennsylvania,

Pennsylvania, by a committee to attend and confer with the said legislature:" And on the question to reconsider, the yeas and nays being required by Mr. Houstoun:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	no	} no
	Mr. Symmes	no	
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} no
	Mr. Harrison	no	
	Mr. Ramsay	no	
Virginia,	Mr. Monroe	no	} ay
	Mr. Carrington	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	no	} no
	Mr. White	no	
South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Parker	no	
Georgia,	Mr. Houstoun	ay	} divided
	Mr. Few	no	

So it passed in the negative.

Resolved, That the committee to attend and confer with the legislature of Pennsylvania, consist of two members.

Mr. King and Mr. Monroe were appointed.

A motion was made by Mr. Smith, seconded by Mr. Houstoun, that a committee be appointed to repair to the legislatures of Connecticut, New-Jersey and North-Carolina, who have not passed acts in compliance with the requisition of Congress of the 27th September 1785, to explain to them more fully the embarrassed state of the public finances,

to urge upon them the necessity of a full and immediate compliance with the said requisition, and that a committee be appointed, to prepare an address to the states of New-Hampshire and Maryland, who have passed acts complying with the said requisition only in part, enforcing the necessity of a full and immediate compliance therewith." On this the previous question was moved by the state of Massachusetts, seconded by the state of North-Carolina : And on the question to agree to the previous question, the yeas and nays being required by Mr. Smith :

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Sedgwick	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	no	} divided
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	ay	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	} ay
North-Carolina,	Mr. Bloodworth	ay	
	Mr. White	ay	} ay
South-Carolina,	Mr. Bull	ay	
	Mr. Pinckney	ay	
	Mr. Parker	ay	} divided
Georgia,	Mr. Houston	no	
	Mr. Few	ay	

So it was resolved in the affirmative, and the main question was set aside,

Congress proceeded to the election of a superintendant of Indian affairs for the northern district, and the ballots being taken,

Mr. Richard Butler was elected, having been previously nominated by Mr. Pinckney.

T U E S D A Y, *August 15, 1786.*

Congress assembled--Present as before.

W E D N E S D A Y, *August 16, 1786.*

Congress assembled--Present as before,

A letter of this day from Mr. W. Livingston, one of the commissioners of the board of treasury, was read, requesting leave of absence for one month from the 21st of this month.

Ordered, That leave be granted.

T H U R S D A Y, *August 17, 1786.*

Congress assembled--Present as before.

According to order, Congress went into a committee of the whole; and after some time the president resumed the chair, and Mr. Bull reported, that the committee of the whole have had under consideration the subject referred to them; but not having come to a conclusion, desire to sit again.

Ordered, That the committee of the whole sit again tomorrow.

F R I D A Y, *August 18, 1786.*

Congress assembled--Present as before.

According to order, Congress went into a committee of the whole. After some time the president resumed the chair, and Mr. Bull reported, that the committee of the whole have had under consideration the subject referred to them; but not having come to a conclusion, desire leave to sit again.

Ordered, That the committee of the whole sit again on Monday next.

MONDAY,

MONDAY, *August 21, 1786.*

Congress assembled---Present as before.

According to order, Congress went into a committee of the whole ; and after some time the president resumed the chair, and Mr. Bull reported, that the committee of the whole have had under consideration the subject referred to them ; but not having come to a conclusion, desire leave to sit again.

Ordered, That the committee of the whole sit again tomorrow.

TUESDAY, *August 22, 1786.*

Congress assembled--Present as before.

The order of the day being called for by the state of South-Carolina, to take into consideration the report of a committee, to whom was referred a letter of the 16th from his excellency the governor of New-York ; another order of the day being also called for by the state of Massachusetts, to go into a committee of the whole : On the question to take into consideration the report called for, which is in the words following :

The committee, consisting of Mr. Johnson, Mr. King, Mr. Pinckney, Mr. Monroe and Mr. Grayson, to whom was referred a letter from his excellency the governor of New-York, of the 16th inst. report,

That they have examined an act passed by the state of New-York, on the 4th day of May last, entitled " An act for giving and granting to the United States in Congress assembled, certain imposts and duties on foreign goods imported into that state, for the special purpose of paying the principal and interest of the debt contracted in the prosecution of the late war with Great-Britain : " That by the act of Congress of the 18th April, 1783, it is recommended to the several states, as indispensably necessary to the restoration of public credit, and to the punctual and honourable discharge of the public debts, to invest the United States in Congress assembled with a power to levy certain duties upon goods imported into the United States ; provided that the collectors of the said duties should be appointed by the states within which their offices are to be respectively

respectively exercised ; but when so appointed, to be amenable to and removable by the United States in Congress assembled alone. The committee conceive that the investing the United States in Congress assembled with this power, which includes that of forming the necessary regulations, or revenue laws, with suitable penalties, of declaring the money in which the said duties shall be received, of establishing the number of revenue officers, and ascertaining their duties, has been and must be considered as an essential part of the plan submitted to the several states for their adoption : The exercise of this power by thirteen separate authorities, would introduce different laws upon the same subject, ordain various penalties for the same offence, destroy the equality of the tax, and might in a great measure defeat the revenue. All the states except New-York, having in pursuance of the recommendation of the 18th April, 1783, granted the imposts by acts vesting this power, with certain qualifications, exclusively in the United States in Congress assembled ; the long continued embarrassments of the public finances, and the indispensable demands on the federal government, dictate the necessity of an immediate and unanimous adoption of this measure : Impressed with these opinions, the committee have carefully examined the act of the state of New-York, and submit the following remarks :

1st. That several of the states which have passed acts, investing the United States in Congress assembled, under certain restrictions, with power to levy the duties on goods imported into the United States, agreeably to the recommendation of the 18th of April 1783, have inserted in their acts, express conditions that the same shall not be in force, or begin to operate, until all the states in the confederacy have passed acts vesting the United States in Congress assembled, with power to levy in the several states like duties.

2d. That the act of the state of New-York, does not invest the United States in Congress assembled with power to levy in that state the duties therein mentioned, but reserves to the state of New-York, the sole power of levying and collecting the same in the manner directed in and by an act of that state, entitled “ An act imposing duties on certain goods, wares, and merchandize imported into the said state,”

state," passed the 18th day of November, 1784, and consequently prevents the operation of the impost in those states which have made the exercise of this power, by the United States in Congress assembled, an indispensable and express condition of their grants.

3d. That the said act does not make the collectors of the said duties amenable to and removeable by the United States in Congress assembled; but ordains, that upon conviction before the supreme court of judicature, or in the court of exchequer of the state of New-York, for any default or neglect in the execution of the duties required of them by the said act, or by an act of that state, entitled, "An act imposing duties on certain goods, wares and merchandize imported into the said state," they shall be removed from office, and others appointed instead of the persons so convicted; which is a material departure from the plan recommended by Congress.

4th. That by an act of the state of New-York, entitled, "An act for emitting the sum of two hundred thousand pounds, in bills of credit, for the purposes therein mentioned," passed the 18th April, 1786, it is among other things enacted, "That gold and silver, and the bills of credit emitted by virtue of the said act, shall be received by the collector for duties arising on goods, wares and merchandize imported into the said state after the passing the said act;" in consequence whereof, admitting that the system of a general impost could be put in operation, it would remain optional with the importer to pay the duties on goods imported into the state of New-York, in specie, or bills of credit, emitted by virtue of the aforesaid act.

5th. If bills of credit of the state of New-York should be received from the importer in that state, upon the principles of equal justice, bills of credit emitted by any other state, must be received from the importer of goods in such state, and thereby instead of the system yielding a sum in actual money, nothing but paper would be brought into the federal treasury, which would be wholly inapplicable to the payment of any part of the interest or principal of the foreign debt of the United States. Whereupon the committee submit the following resolutions:

1st. *Resolved*, That the act of the state of New-York, entitled, "An act for giving and granting to the United States

States in Congress assembled, certain imposts and duties on foreign goods imported into that state, for the special purpose of paying the principal and interest of the debts contracted in the prosecution of the late war with Great-Britain," so essentially varies from the system of impost recommended by the United States in Congress assembled on the 18th day of April 1783, that the said act is not, and cannot be considered as a compliance with the same.

2d. *Resolved*, That the present critical and embarrassed situation of the finances of the United States is such, as to require, that the system of impost should be carried into immediate effect. That New-York being the only state which has not yet adopted the same, the United States in Congress assembled, deem this an occasion sufficiently important and extraordinary, to request, that the legislature of the said state be convened, for the purpose of taking the said system into their immediate and serious consideration, and granting the same, in the manner recommended by the resolution of the 18th April 1783.

3d. *Resolved*, That it be earnestly recommended to the executive of the state of New-York, immediately to convene the legislature of the said state, to take into their consideration, the recommendation of the 18th April 1783, for the purpose of granting the system of impost in such conformity with the acts and grants of the other states, as on their part to enable the United States in Congress assembled to carry the same into effect.

The yeas and nays being required by Mr. Monroe:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Sedgwick	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	
New-York,	Mr. Lawrance	no	} no
	Mr. Haring	no	
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	no	} no
	Mr. Symmes	ay	
	Mr. Hornblower	no	
Pennsylvania,			

Pennsylvania,	Mr. Bayard	no	} no
	Mr. St. Clair	no	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
Virginia,	Mr. Ramfay	ay	} ay
	Mr. Grayson	ay	
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So it passed in the negative.

Congress then went into a committee of the whole, and after some time the president resumed the chair, and Mr. Bull reported, that the committee of the whole have had under consideration the subject referred to them; but not having come to a conclusion, desire leave to sit again.

Ordered, That the committee of the whole sit again to-morrow.

W E D N E S D A Y, August 23, 1786.

Congress assembled--Present as before.

Congress went into a committee of the whole, and after some time the president resumed the chair, and Mr. Bull reported, that the committee of the whole have taken into consideration the subject referred to them, and have come to a resolution thereon, which he was ordered to report.

The report of the committee of the whole being read:

Ordered, That it be taken into consideration on Monday next.

On the report of a committee consisting of Mr. Henry, Mr. King, and Mr. Cadwallader, to whom was referred a report of the board of treasury, relative to the issue of indents to the state of Pennsylvania:

Resolved, That the acts of Congress of the 27th and 28th of April, 1784, do not authorise any state to pay certificates or discounts of interest, on the domestic debt, to an amount

amount exceeding one quarter part of the sums or balances then due from the several states to complete a moiety of the requisition of the 30th of October, 1781, for eight millions of dollars.

Resolved, That the board of treasury be and hereby are authorized and directed to give orders for the continuation of the issue of indents of interest in the state of Pennsylvania, agreeably to the requisition of the 27th September last; provided that such emission of indents be not considered as warranting that construction of the requisition of the 27th and 28th of April, 1784, which the state has thought proper to make, and by which construction 86,658 dollars in specie, due to the United States upon that requisition, has not been provided for in the legislative act of the said state of the 8th of March last.

According to order, Congress took into consideration the report of the committee, on the letter of the 16th, from his excellency the governor of New-York, and the first resolution, reported by the committee, being amended and passed, and the second amended so as to read, "the United States in Congress assembled, did on the 11th day of the present month, and still do deem, &c." a motion was made by the delegates of New-York, to postpone the second and third resolutions in order to take up the following :

Whereas the governor of the state of New-York, in answer to the recommendation of Congress of the 11th instant hath signified to Congress, that he cannot, in his opinion, consistent with the constitution of the said state, convene the legislature thereof for the purpose specified in the said resolve, as appears by his letter to his excellency the president, dated the 16th, in the words following, "New-York, 16th August 1786. Sir, I take the liberty of addressing this to your excellency, to acknowledge the receipt of the resolution of the United States in Congress assembled of the 11th instant, transmitted to me yesterday by their secretary, recommending to the executive of this state immediately to convene the legislature, to take into consideration, the recommendation of the 18th of April 1783, I beg leave to assure your excellency, that I entertain the highest deference and respect for the authority of Congress, and that it will always afford me great pleasure to have it in my power, to comply with their recommendations: But in the present case, permit me to observe, that I have
not

not power to convene the legislature before the time fixed by law for their stated meeting, except on extraordinary occasions ; and as the present business proposed for their consideration has already been repeatedly laid before them, and so recently as at their last session received their determination, it cannot come within that description. A copy of their act passed on the occasion, I have had the honour of laying before Congress through the delegates of this state, and your excellency will readily perceive it is not my province to determine how far it conforms to the recommendation in question. I cannot conclude without adding, that I feel myself unhappy to be formally called on by Congress, in an instance in which I cannot yield a compliance without breaking through one of those checks which the wisdom of our constitution has provided against the abuse of office, and which, I am persuaded Congress will approve the sentiment, when I declare, I find myself bound, as well by inclination as by duty, to preserve. I have the honour to be, with the highest respect, your excellency's most obedient servant, Geo. Clinton:" Therefore *Resolved*, that to repeat the recommendation of Congress to the supreme executive of the state of New-York, on this subject, would be inexpedient."

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Smith :

New-Hampshire,	Mr. Livermore	no	}	no
	Mr. Long	no		
Massachusetts	Mr. Gorham	no	}	no
	Mr. King	no		
Rhode-Island,	Mr. Manning	no	}	no
	Mr. Miller	no		
Connecticut,	Mr. Johnson	no	}	no
	Mr. Sturges	no		
New-York,	Mr. Lawrance	ay	}	ay
	Mr. Haring	ay		
	Mr. Smith	ay		
New-Jersey,	Mr. Cadwallader	no	}	no
	Mr. Symmes	no		
	Mr. Hornblower	no	}	no
Pennsylvania,	Mr. Bayard	no		
	Mr. St. Clair	no		
	B b			Maryland,

Maryland,	Mr. Henry	no	} no
	Mr. Harrison	no	
	Mr. Ramsay	no	
Virginia,	Mr. Carrington	no	} no
	Mr. Lee	no	
North-Carolina,	Mr. Bloodworth	no	} no
	Mr. White	no	
South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Huger	no	
Georgia,	Mr. Houston	no	} no
	Mr. Few	no	

So it passed in the negative.

On the question to agree to the second resolution, as amended the yeas and nays being required by Mr. Haring :

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Lawrence	no	} no
	Mr. Haring	no	
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	no	} no
	Mr. Symmes	no	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Bayard	ay	} ay
	Mr. St. Clair	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramsay	ay	
Virginia,	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	
Georgia,			

Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So it was resolved in the affirmative.

On the question to agree to the third resolution, the yeas and nays being required by Mr. Smith :

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Lawrance	no	} no
	Mr. Haring	no	
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Bayard	ay	} ay
	Mr. St. Clair	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Harrison	ay	
	Mr. Ramfay	ay	
Virginia,	Mr. Carrington	ay	} *
North-Carolina,	Mr. Bloodworth	no	
	Mr. White	no	} no
South-Carolina,	Mr. Bull	ay	
	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So it was resolved in the affirmative, and the whole was agreed to as follows :

The committee, consisting of Mr. Johnson, Mr. King, Mr. Pinckney, Mr. Monroe and Mr. Grayson, to whom was referred a letter from his excellency the governor of New-York, of the 16th, having reported,

“ That they have examined an act passed by the state of New-York, on the 4th day of May last, entitled “ An act for giving and granting to the United States in Congress assembled, certain imposts and duties on foreign goods imported into that state, for the special purpose of paying the

the principal and interest of the debt contracted for the prosecution of the late war with Great-Britain :'' That by the act of Congress of the 18th April, 1783, it is recommended to the several states, as indispensably necessary to the restoration of public credit, and to the punctual and honourable discharge of the public debts, to invest the United States in Congress assembled with a power to levy certain duties upon goods imported into the United States; provided that the collectors of the said duties should be appointed by the states within which their offices are to be respectively exercised; but when so appointed, to be amenable to and removable by the United States in Congress assembled alone. The committee conceive that the investing the United States in Congress assembled with this power, which includes that of forming the necessary regulations, or revenue laws, with suitable penalties, of declaring the money in which the said duties shall be received, of establishing the number of revenue officers, and ascertaining their duties, has been and must be considered as an essential part of the plan submitted to the several states for their adoption: The exercise of this power by thirteen separate authorities, would introduce different laws upon the same subject, ordain various penalties for the same offence, destroy the equality of the tax, and might in a great measure defeat the revenue. All the states except New-York, having in pursuance of the recommendation of the 18th April, 1783, granted the impost by acts vesting this power, with certain qualifications, exclusively in the United States in Congress assembled; the long continued embarrassments of the public finances, and the indispensable demands on the federal government, dictate the necessity of an immediate and unanimous adoption of this measure: Impressed with these opinions, the committee have carefully examined the act of the state of New-York, and submit the following remarks: 1st. That several of the states which have passed acts, investing the United States in Congress assembled, under certain restrictions, with power to levy the duties on goods imported into the United States, agreeably to the recommendation of the 18th of April 1783, have inserted in their acts, express conditions that the same shall not be in force, or begin to operate, until all the states in the confederacy have

have passed acts vesting the United States in Congress assembled, with power to levy in the several states like duties: 2d. That the act of the state of New-York, does not invest the United States in Congress assembled with power to levy in that state the duties therein mentioned, but reserves to the state of New-York, the sole power of levying and collecting the same in the manner directed in and by an act of that state, entitled "An act imposing duties on certain goods, wares, and merchandize imported into the said state," passed the 18th day of November, 1784, and consequently prevents the operation of the impost in those states which have made the exercise of this power, by the United States in Congress assembled, an indispensable and express condition of their grants: 3d. That the said act does not make the collectors of the said duties amenable to and removeable by the United States in Congress assembled; but ordains, that upon conviction before the supreme court of judicature, or in the court of exchequer of the state of New-York, for any default or neglect in the execution of the duties required of them by the said act, or by an act of that state, entitled, "An act imposing duties on certain goods, wares and merchandize imported into the said state," they shall be removed from office, and others appointed instead of the persons so convicted; which is a material departure from the plan recommended by Congress: 4th. That by an act of the state of New-York, entitled, "An act for emitting the sum of two hundred thousand pounds, in bills of credit, for the purposes therein mentioned," passed the 18th April, 1786, it is among other things enacted, "That gold and silver, and the bills of credit emitted by virtue of the said act, shall be received by the collector for duties arising on goods, wares and merchandize imported into the said state after the passing the said act;" in consequence whereof, admitting that the system of a general impost could be put in operation, it would remain optional with the importer to pay the duties on goods imported into the state of New-York, in specie, or bills of credit, emitted by virtue of the aforesaid act. 5th. If bills of credit of the state of New-York should be received from the importer in that state, upon the principles of equal justice, bills of credit emitted by any other state, must be received from the importer of goods in such state

state, and thereby instead of the system yielding a sum in actual money, nothing but paper would be brought into the federal treasury, which would be wholly inapplicable to the payment of any part of the interest or principal of the foreign debt of the United States; thereupon,

Resolved, That the act of the state of New-York, entitled, "An act for giving and granting to the United States in Congress assembled, certain imposts and duties on foreign goods imported into that state, for the special purpose of paying the principal and interest of the debts contracted in the prosecution of the late war with Great-Britain," so essentially varies from the system of impost recommended by the United States in Congress assembled on the 18th day of April 1783, that the said act is not, and cannot be considered as a compliance with the same, so as to enable Congress, consistently with the acts of the other states to bring the system into operation.

Resolved, That the present critical and embarrassed situation of the finances of the United States is such, as to require, that the system of impost should be carried into immediate effect. That New-York being the only state which has not yet adopted the same, the United States in Congress assembled did, on the 11th day of the present month, and still do, deem this an occasion sufficiently important and extraordinary, to request, that the legislature of the said state should be convened, for the purpose of taking the said system into their immediate and serious consideration, and granting the same, in the manner recommended by the resolution of the 18th April 1783.

Resolved, That it be again earnestly recommended to the executive of the state of New-York, immediately to convene the legislature of the said state, to take into their consideration, the recommendation of the 18th April 1783, for the purpose of granting the system of impost in such conformity with the acts and grants of the other states, as on their part to enable the United States in Congress assembled to carry the same into effect.

T H U R S D A Y, *August 24, 1786.*

Congress assembled--Present as before.

On the report of a committee, consisting of Mr. Johnson,

son, Mr. Symmes, and Mr. Manning, to whom was referred a letter from lieutenant-colonel Harmar to the secretary at war, together with another letter from Mr. Etwein to the secretary of Congress, both relative to the Moravian Indians:

Resolved, That the secretary at war give orders to lieutenant-colonel Harmar, that he signify to the Moravian Indians, lately come from the river Huron to Cayahoga, that it affords pleasure to Congress to hear of their arrival, and that they have permission to return to their former settlement on the Muskingum, where they may be assured of the friendship and protection of the United States; and that lieutenant-colonel Harmar supply the said Indians, after their arrival at Muskingum, with a quantity of Indian-corn, not exceeding five hundred bushels, out of the public stores on the Ohio, and deliver the same to them at fort M'Intosh, as soon after next Christmas as the same may be procured; and that he furnish the said Indians with twenty Indian axes, twenty corn hoes, and one hundred blankers; and that the board of treasury and secretary at war take order to carry the above into effect.

On a report of a committee, consisting of Mr. Monroe, Mr. Johnson, Mr. King, Mr. Pinckney and Mr. Smith, to whom was referred a petition from the inhabitants of Kaskaskies, for the organization of a government over the said district:

Ordered, That the Secretary of Congress inform the inhabitants of Kaskaskies, that Congress have under their consideration the plan of a temporary government for the said district, and that its adoption will be no longer protracted than the importance of the subject and a due regard to their interest may require.

F R I D A Y, *August 25, 1786.*

Congress assembled--Present as before.

M O N D A Y, *August 28, 1786.*

Congress assembled--Present as before.

TUESDAY,

TUESDAY, August 29, 1786.

Congress assembled--Present as before.

WEDNESDAY, August 30, 1786.

Congress assembled--Present as before,

The committee, consisting of Mr. Ramsay, Mr. Pinckney and Mr. Lee, to whom was referred a memorial of John O'Donnell, praying that Congress would be pleased to grant him sea-letters for the ship *Cheapeake*, having reported,

"That the ship *Cheapeake* and her cargo are the property of citizens of the United States, and that the ship is principally navigated by citizens of the United States, and bound on a voyage to India:"

Resolved, That a sea-letter be granted for the ship *Cheapeake*, John O'Donnell, master, in the form of that granted for the ship *Canton*, *mutatis mutandis*.

THURSDAY, August 31, 1786.

Congress assembled---Present as before.

On motion of Mr. Long, seconded by Mr. Smith:

Whereas major general John Sullivan, was, while in service, employed at sundry times on separate commands and expeditions, whereby he was exposed to great and extraordinary expence:

Resolved, That it be recommended to the state of New-Hampshire, to pay to the said John Sullivan, the sum of four thousand three hundred dollars, in the same manner as they have paid their other general officers, and charge the same in their general account with the United States.

On the question to agree to the above resolution, the yeas and nays being required by Mr. Long:

New-Hampshire,	Mr. Livermore	ay	} ay
	Mr. Long	ay	
Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
			New-York,

New-York,	Mr. Lawrance	ay	} ay
	Mr. Haring	ay	
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Bayard	ay	} ay
	Mr. St. Clair	ay	
Maryland,	Mr. Henry	no	} no
	Mr. Harrison	no	
	Mr. Ramsay	ay	
Virginia,	Mr. Grayson	no	} ay
	Mr. Monroe	ay	
	Mr. Carrington	ay	
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Bull	no	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	
	Mr. Parker	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So it was resolved in the affirmative.

A motion was made by Mr. King, seconded by Mr. Livermore, in the following words :

Ordered, That when a question is set aside by the previous question, it shall not be in order afterwards formally or substantially to move the same, unless there shall be the same, or as many states represented in Congress.

On this the previous question was moved by the state of South-Carolina, seconded by the state of Virginia: And on the question to agree to the previous question, the yeas and nays being required by the state of Virginia:

New-Hampshire,	Mr. Livermore	no	} no
	Mr. Long	no	
Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	

New-

New-York,	Mr. Lawrance	no	}	no
	Mr. Haring	no		
	Mr. Smith	no		
New-Jersey,	Mr. Cadwallader	no	}	no
	Mr. Hornblower	no		
Pennsylvania,	Mr. Bayard	no	}	no
	Mr. St. Clair	no		
Maryland,	Mr. Henry	ay	}	ay
	Mr. Harrison	ay		
	Mr. Ramsay	ay		
Virginia,	Mr. Grayson	ay	}	ay
	Mr. Monroe	ay		
	Mr. Carrington	ay		
	Mr. Lee	ay		
North-Carolina,	Mr. Bloodworth	ay	}	ay
	Mr. White	ay		
South-Carolina,	Mr. Bull	ay	}	ay
	Mr. Pinckney	ay		
	Mr. Huger	ay		
	Mr. Parker	ay		
Georgia,	Mr. Houstoun	ay	}	ay
	Mr. Few	ay		

So it passed in the negative.

When the question was about to be put, the determination thereof was postponed till to-morrow by the state of South-Carolina.

F R I D A Y, September 1, 1786.

Congress assembled--Present as before.

A motion was made by Mr. Pinckney, seconded by Mr. Few, further to postpone the determination of the question which was yesterday postponed by the state of South-Carolina: And on the question further to postpone the determination of the question, the yeas and nays being required by Mr. Pinckney:

New-Hampshire,	Mr. Livermore	no	}	no
	Mr. Long	no		
Massachusetts,	Mr. Gorham	no	}	no
	Mr. King	no		
Rhode-Island,	Mr. Manning	no	}	no
	Mr. Miller	no		

Connecticut,

Connecticut,	Mr. Johnson	no	}	no
	Mr. Sturges	no		
New-York,	Mr. Lawrance	no	}	no
	Mr. Haring	no		
	Mr. Smith -	no		
New-Jersey,	Mr. Cadwallader	no	}	no
	Mr. Hornblower	no		
Pennsylvania,	Mr. Bayard	no	}	no
	Mr. St. Clair	no		
Maryland,	Mr. Henry	ay	}	ay
	Mr. Harrison	ay		
	Mr. Ramsay	ay		
Virginia,	Mr. Grayson	ay	}	ay
	Mr. Monroe	ay		
	Mr. Carrington	ay		
	Mr. Lee	ay		
North-Carolina,	Mr. Bloodworth	no	}	no
	Mr. White	no		
South-Carolina,	Mr. Bull	no	}	divided
	Mr. Pinckney	ay		
	Mr. Huger	no		
	Mr. Parker	ay	}	ay
Georgia,	Mr. Houstoun	ay		
	Mr. Few	ay	}	ay

So it passed in the negative.

On the question to agree to the motion, the yeas and nays being required by Mr. Few :

New-Hampshire,	Mr. Livermore	ay	}	ay
	Mr. Long	ay		
Massachusetts	Mr. Gorham	ay	}	ay
	Mr. King	ay		
Rhode-Island,	Mr. Manning	ay	}	ay
	Mr. Miller	ay		
Connecticut,	Mr. Johnson	ay	}	ay
	Mr. Sturges	ay		
New-York,	Mr. Lawrance	ay	}	ay
	Mr. Haring	ay		
	Mr. Smith	ay		
New-Jersey,	Mr. Cadwallader	ay	}	ay
	Mr. Hornblower	ay		
Pennsylvania,	Mr. Bayard	ay	}	ay
	Mr. St. Clair	ay		
Maryland,				

Maryland,	Mr. Henry	no	}	no
	Mr. Harrifon	no		
	Mr. Ramfay	no		
Virginia,	Mr. Grayfon	no	}	no
	Mr. Monroe	no		
	Mr. Carrington	no		
	Mr. Lee	no		
North-Carolina,	Mr. Bloodworth	no	}	no
	Mr. White	no		
South-Carolina,	Mr. Bull	no	}	no
	Mr. Pinckney	no		
	Mr. Huger	no		
	Mr. Parker	no		
Georgia,	Mr. Houftoun	no	}	no
	Mr. Few	no		

So it was

Ordered, That when a question is fet afide by the previous question, it fhall not be in order afterwards formally or fubftantially to move the fame, unlefs there fhall be the fame, or as many ftates reprefented in Congress.

M O N D A Y, *September 4, 1786.*

Congrefs affembled--Present, Maffachusetts, Connecticut, New-York, New-Jerfey, Pennfylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from the ftate of New-Hampfhire Mr. Long.

According to order the agents for the ftates of South-Carolina and Georgia, attended in purfuance of the aft of Congress, and the notification given the 1ft June, 1785, and produced their credentials, declaring at the fame time, that they had refpectively examined each others credentials, and were fatisfied with the powers therein contained. The credentials were then read, and are in the words following, viz.

“ State of South-Carolina.--By his excellency William Moultrie, efquire, governor and commander in chief in and over the ftate aforefaid: To all to whom thefe presents fhall come, be feen or made known, greeting.--Know ye, that John Vanderhorft, efquire, who certifies the annexed to be a true copy from the original ordinance of record, in the fecretary's office of the faid ftate, is fecretary of the faid ftate, therefore all due faith, credit and authority is

and ought to be had and given to his proceedings and certificate as such. In faith and testimony whereof, I have hereunto set my hand, and caused to be affixed the great seal of the state, in the city of Charleston, this first day of August, in the year of our Lord one thousand seven hundred and eighty-six, and of the sovereignty and independence of the United States of America, the eleventh.

WILLIAM MOULTRIE.

By his excellency's command.

PETER FRENEAU, Dep^y. Sec'y.

With the great seal of the state appendant.

State of South Carolina.

At a general assembly begun and holden at Charleston, on the third day of January, one thousand seven hundred and eighty-five, and in the ninth year of the sovereignty and independence of the United States of America, and from thence continued by divers adjournments, to the twenty-second day of March, in the year of our Lord one thousand seven hundred and eighty-six.

An ordinance to appoint commissioners to ascertain and settle the boundaries of this state with the states of Georgia and North-Carolina; and to authorize his excellency the governor to appoint agents to act in behalf of this state at the federal court, in the controversy between this state and the state of Georgia, relative to boundary. Be it ordained by the honourable the senate and house of representatives, now met and sitting in general assembly, and by the authority of the same, that three commissioners be chosen by joint ballot of the legislature, which commissioners, or a majority of them, when chosen, shall be, and they are hereby invested with full and absolute power and authority, in the behalf of this state, to settle and compromise all and singular the differences, controversies, disputes and claims, which subsist between this state and the state of Georgia, relative to boundary, and to establish and permanently fix a boundary between the two states; and this state shall and will at all times hereafter, ratify and confirm all and whatsoever the said commissioners, or a majority of them, shall do in and touching the premises, and the same shall be forever binding on this state: Provided always, that the commissioners to be appointed by
the

the state of Georgia, shall have as extensive powers vested in them by the state of Georgia, as are above vested in the commissioners of this state: And as it may so happen that the said commissioners may not be able to settle and compromise the above differences, but it may be necessary to have the same decided by a federal court: Be it ordained by the authority aforesaid, that his excellency the governor or commander in chief for the time being, be and he is hereby empowered to appoint proper persons to prosecute the claim, and to manage the affairs of this state in the federal court, with full power and authority to do, transact, perform and execute all and every such matters and things touching the same, as shall be requisite and necessary; and this state shall and will at all times hereafter, ratify and confirm what shall be so done, transacted, performed or executed: And be it further ordained by the authority aforesaid, that three commissioners be chosen by joint ballot of the legislature; which commissioners, or a majority of them, when chosen, shall be and they are hereby invested with full and absolute power and authority, in behalf of this state, to settle and compromise all and singular the differences, controversies, disputes and claims which subsist between this state and the state of North-Carolina, relative to boundary and to establish and permanently fix a boundary between the two last mentioned states: And this state shall and will at all times hereafter, ratify and confirm all and whatsoever the said commissioners, or a majority of them, shall do in and touching the premises; and the same shall be forever binding on this state: Provided always, that the commissioners to be appointed by the state of North-Carolina, shall have as extensive powers vested in them by that state, as are hereby vested in the commissioners of this state: And be it further ordained by the authority aforesaid, that his excellency the governor, or commander in chief for the time being, shall be and he is hereby empowered to draw upon the treasury for any sum or sums, not exceeding ten thousand dollars, for the reasonable expences of the said commissioners, and for carrying this ordinance into full execution.

In the senate house, the twenty-second day of March, in the year of our Lord one thousand seven hundred and

and eighty-six, and in the tenth year of the independence of the United States of America.

JOHN LLOYD, President of the Senate,
JOHN FAUCHEREAUD GRIMKE,
Speaker of the House of Representatives.

State of South-Carolina, } I hereby certify the foregoing
Secretary's Office. } to be a true copy from the original ordinance of record in this office,

Examined by JOHN VANDERHORST, Secretary.

State of South-Carolina:--By his excellency William Moultrie, esquire, governor and commander in chief in and over the state aforesaid: To the honourable John Kean, Charles Pinckney and John Bull, Esqrs. Whereas disputes and differences have arisen and now subsist between the states of South-Carolina and Georgia, concerning the boundaries of the said states, and in consequence thereof a petition of the legislature of this state, praying that a federal court may be appointed conformably to the articles of the confederation to decide the same, has been presented to Congress: Whereupon Congress have resolved, that the second Monday of May next, be assigned for the appearance of the said states by their lawful agents to proceed in the premises as by the said articles of confederation is directed. Now know ye, that I reposing special trust and confidence in the abilities and integrity of you the said John Kean, Charles Pinckney and John Bull, do hereby nominate and empower you, or any two of you, as lawful agents for and in behalf of the state of South-Carolina aforesaid, to appoint commissioners or judges, to constitute a court for hearing and determining the said matter in question between the said states of South-Carolina and Georgia, conformably to the articles of confederation aforesaid: And I do hereby farther direct and require, that after such commissioners or judges are appointed, and they shall have fixed on a time and place for holding the said court, that you do give sufficient notice thereof to me, in order that the proper persons appointed to prosecute the claim and to manage the affairs of this state in the said federal court may attend the same. Given under my hand and the great seal of the state in the city of Charleston this

this eighteenth day of April, in the year of our Lord one thousand seven hundred and eighty six, and of the sovereignty and independence of the United States of America, the tenth.

WILLIAM MOULTRIE.

By his excellency's command,

PETER FRENEAU, Dep'y. Sec'y.

Georgia :--By the honorable Edward Telfair, Esquire captain general, governor and commander in chief in and over the state aforesaid: To all to whom these presents shall come, greeting: Know ye, that John Milton, Esquire who hath certified the annexed copy of an act, entitled, "An act to appoint agents to defend the rights of the state of Georgia, to certain territories claimed by the state of South-Carolina," is secretary of the state of Georgia aforesaid, in whose office the archives of the same are deposited; therefore all due faith, credit and authority are and ought to be had and given the said copy by him certified: In testimony whereof, I have hereunto set my hand, and caused the great seal of the said state to be put and affixed at Augusta, this first day of April, in the year of our Lord one thousand, seven hundred and eighty six, and of our sovereignty and independence the tenth.

EDWARD TELFAIR.

By his honor's command,

I. MILTON, Sec'y.

With the great seal of the state appendant.

An act to appoint agents to defend the rights of the state of Georgia to certain territories claimed by the state of South-Carolina:

Whereas the legislature of the state of South-Carolina did present a petition dated the 24th day of March, one thousand seven hundred and eighty-five, to the United States of America in Congress assembled, stating, that they did claim "the lands lying between the North-Carolina line, and a line to be drawn due west from the mouth of Tugaloo river to the Mississippi, because as they contend, the river Savannah loses that name at the confluence of Tugaloo and Keowee rivers, consequently that spot is the head of Savannah river," also, the lands lying between a line

to be drawn from the head of St. Mary's, to the head of the Altamaha rivers, the Mississippi river and Florida, as being within the limits of its charter, and not annexed to the state of Georgia, and praying that a federal court might be appointed to hear and determine the dispute and difference between the said two states relative to the said territory, agreeable to the articles of confederation and perpetual union between the United States---And whereas the said United States in Congress assembled, by an act of Congress dated at New-York the first day of June, one thousand seven hundred and eighty-five, did notify to the legislature of the state of Georgia, that they had assigned the second Monday in May next for the appearance of the said states of Georgia and South-Carolina by their lawful agents to proceed in the premises--now, that the just rights and jurisdiction of this state to the territories claimed by the state of South-Carolina, in their petition above recited, may be properly verified, and such proceedings be had in the premises as the said articles of confederation and perpetual union direct: Be it enacted by the representatives of the freemen of the state of Georgia in general assembly met, and by the authority of the same, that the Hon. William Houstoun, George Walton, and William Few, be and they are hereby appointed agents for this state in the dispute and difference aforesaid on behalf of this state, and they the said William Houstoun, George Walton and William Few, or any two or more of them, are hereby fully authorised and empowered to appear and represent this state before the United States in Congress assembled, on the second Monday in May next, and at all such other times and places, as they may thereafter direct and appoint, and by joint consent with the agents or commissioners for the state of South-Carolina in this behalf appointed, to nominate and agree upon such persons as they may think proper to be commissioners or judges to constitute a federal court finally to determine the dispute and difference aforesaid between the said states. And if it should so happen, that the said agents herein before mentioned, or any one or more of them, and the agents or commissioners on this behalf, appointed by the state of South-Carolina, cannot agree in the choice of persons so to be appointed commissioners or judges

to form a federal court, as aforesaid, then the said agents herein before appointed, or any one or more of them, shall and they are hereby declared to have full power to name proper persons for that purpose to be struck and commissioned by the United States in Congress assembled, according to the form pointed out by the confederation and perpetual union of the said United States, and to appear before the said court when legally appointed and convened; there to defend and vindicate the rights and jurisdiction of this state, taking all due and lawful ways and means in their power, that the final issue of the said dispute and difference may be successful for this state; for which purpose they are hereby authorized and empowered to employ and engage all such counsel learned in the law, and all such solicitors as they may think proper and necessary on the trial, and in prosecution of the claim and right of jurisdiction of this state to the territories in question, hereby confirming and establishing, whatever they the said agents, or any one or more of them, shall or may lawfully do, on behalf of this state in the premises. And be it further enacted by the authority aforesaid, that the said agents herein appointed, or any one or more of them, shall and they are hereby declared to have full power, and are hereby required to examine the records of this state, and take and carry away so that they may be produced at the trial, all such original papers and records as they may think proper, authenticated under the great seal of this state, or such sufficient authenticated copies of the same, exemplified as aforesaid, as they may deem proper, to be given in evidence on the said trial; and the officers keeping such offices, are hereby required to furnish the said agents or any of them with the same when called for without fee or reward.

By order of the House.

WILLIAM GIBBONS, Speaker.

Augusta, 13th February, 1786.

GEORGIA---SECRETARY'S OFFICE.

I do hereby certify that the foregoing is a true copy taken from the original act deposited in my office.

J. MILTON. Secretary
State Georgia.

On motion of the delegates of said states :

Resolved,

Resolved, That the agents for the states of South-Carolina and Georgia be, and they are hereby directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question, agreeable to the ninth of the articles of confederation and perpetual union.

On a report of a committee, consisting of Mr. King, Mr. Pinckney and Mr. Bull, to whom was referred the subject of the transportation of the mail for the year 1787,

Resolved, That the post-master general be, and hereby is authorised and instructed to enter into contracts with sufficient security, for the conveyance of the mails by stage-carriages, if practicable, for one year, commencing on the first day of January next, from Portland, in Massachusetts, to Savannah, in Georgia; and that the same be done by four or more separate contracts; and in case of only four contracts, the first to extend from Portland to New-York; the second from New-York to Philadelphia; the third from Philadelphia to Petersburg; and the fourth from Petersburg to Savannah, by such route as the post-master general may find most convenient.

Resolved, That the said post-master general be further authorised and instructed to make arrangements for the transportation of the mail for one year from the first day of January, 1787, on the following cross-roads, at such stated periods as he shall judge necessary; viz: from Portland to Pownalborough, in the state of Massachusetts; from Boston, in the state of Massachusetts, to the town of Concord, in New-Hampshire; and from thence, through Exeter, to Portsmouth; from Springfield, in the state of Massachusetts, to the city of Albany, in the state of New-York; from the city of New-York to the city of Albany, in the state of New-York, and from the said city of New-York to Danbury, in the state of Connecticut, and from thence to Hartford in the said state, by the most convenient route. From the town of Baltimore to the city of Annapolis, in the state of Maryland, and from the city of Philadelphia to the town of Vienna, in the state of Maryland; from the city of Annapolis, in Maryland, to Leonard's-Town, in St. Mary's county, by the route of Upper Marlborough, Piscattaway and Port-Tobacco. From the town of Alexandria, in the state of Virginia, to
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the town of Pittsburgh, in the state of Pennsylvania, by the route of Leesburgh, Winchester, Fort Cumberland and Bedford; and from the city of Philadelphia to Bedford; From the town of Wilmington to Fayette Ville, in the state of North-Carolina, by the route of Elizabeth-town; From Fayette-Ville, in North-Carolina, to Camden, in South-Carolina, and from thence to Charleston, in the same state; and from Camden, by the route of Columbia, to Augusta, in Georgia. Provided always that nothing in this act contained shall be construed to affect the cross posts heretofore established, which are hereby confirmed. And the post-master general is hereby farther authorized to farm the exclusive right of conveying the mail on the cross roads above enumerated, or on any of them, to any person or persons giving sufficient security for the faithful transportation of the same for a term not exceeding seven years. Provided that the postage of letters or packets upon such cross roads shall not exceed the rates established for the conveyance of such letters a like distance on the main post road.

On motion of Mr. Lawrance, seconded by Mr. Smith,

Resolved, That the comptroller, in settling the accounts of Joshua Merfereau, be directed to pass to his credit all such necessary sums of money as may appear to have been disbursed by him in the hire of John Merfereau, as an assistant, while acting as deputy commissary of prisoners.

Resolved, That the comptroller be directed, in settling the accounts of Joshua Merfereau, to allow such travelling charges as were necessarily incurred in the execution of his office.

On motion of Mr. Lawrance, seconded by Mr. Smith:

Resolved, That the commissioner of army accounts settle the pay due to William Smith, as an assistant engineer, from the first day of January, to the first day of November, 1776.

T U E S D A Y, September 5, 1786.

Congress assembled--Present as yesterday.

On the report of a committee, consisting of Mr. Carrington, Mr. Henry and Mr. Ramsay, to whom was referred a memorial of David Henley, together with a report of the commissioner of army accounts thereon:

Resolved,

Resolved, That the commissioner of army accounts be and he is hereby directed to allow and pay to the said David Henly, one year's full pay upon his commission as a colonel in the service of the United States, in pursuance of the act of 24th November, 1778.

On a report of the board of treasury, to whom was referred a memorial of R. Morris, late superintendant of the finances of the United States, of the 23d September, 1785 :

Resolved, That the board of treasury be and they hereby are authorized to appoint either the comptroller of the treasury, or such other suitable person as they may think proper, to adjust, on the part of the United States, with any person duly authorized on the part of the state of Pennsylvania, the quantity of specific supplies for which that state should obtain credit, by commuting the cash received from their agent, and expended for the general service of the United States into the specific supplies required, in order that the account of that state for such supplies, may be finally adjusted.

On the report of a committee, consisting of Mr. Bayard, Mr. Bloodworth and Mr. Bull, to whom was referred a petition of John Paul Schott, late a captain in the service of the United States.

Resolved, That the pay-master general, be and he is hereby directed, in the settlement of the accounts of John Paul Schott, late a captain in the army of the United States, to pass to his credit such sums of money as he shall declare upon oath he hath paid for the recruiting and pay of his company, he having, by various misfortunes and accidents, lost the vouchers for the same.

The committee, consisting of Mr. Bayard, Mr. Smith and Mr. Harrison, to whom was referred a petition of John Chaloner and Nathaniel Shaler, praying for sea-letters for sundry vessels bound to the East-Indies, having reported, "That they are assured that the ships, with their cargoes, belong to a citizen of the United States, and are navigated by seamen who are citizens of the United States."

Resolved, That sea-letters, in the usual form, be granted for the following ships, namely,

The ship Betsey, captain Jonathan Elligood, now lying at Baltimore, in the state of Maryland. and bound to the coast of Malabar, in the East-Indies;

The

The ship *Leda*, captain Nicholas Gardner, now lying at Boston, in the state of Massachusetts, and bound to the coast of Coromandel;

The ship *Hope*, Bayly Warren, master, now lying at Norfolk, in the state of Virginia, and bound for Canton in China.

W E D N E S D A Y, *September 6, 1786.*

Congress assembled--Present, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire Mr. Long, and from Massachusetts Mr. Gorham.

On a report of the board of treasury:

Resolved, That when the agents appointed to issue certificates for the balances due to the corps of the late army not appertaining to any state shall produce to the comptroller of the treasury, a certificate from the commissioner of army accounts, purporting the final adjustment of their accounts and the amount of the certificates by them respectively issued, there be allowed and passed to their several credits on the books of the treasury a commission of one per cent. on the amount of the certificates by them respectively issued.

T H U R S D A Y *September 7, 1786.*

Congress assembled, present as yesterday,

On the report of a committee consisting of Mr. Carrington, Mr. Symmes and Mr. Dane, to whom was referred a petition of Robert Patton:

Resolved, That Robert Patton be allowed and paid in full for extra services to this time, the sum of two hundred and eighty-three dollars, and thirty ninetieths of a dollar deducting therefrom, one hundred and eighty-five dollars already paid him, and that the board of treasury take order herein.

On reports of the secretary at war, to whom was referred the petitions of Caleb Bruen and Thomas Pool:

Resolved, That the board of treasury pay to Caleb Bruen, the sum of three hundred dollars, as a compensation for his services and sufferings in the cause of the United States during the late war.

Resolved,

Resolved, That the board of treasury take order for the payment of one thousand and ninety-seven dollars, to Mr. Thomas Pool, as a reward for the personal and pecuniary injuries he sustained in the service of the United States during the late war.

M O N D A Y, *September 11, 1786.*

Congress assembled--Present, Connecticut, New-York, New-Jersey, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, and from New-Hampshire Mr. Long, from Massachusetts Mr. Gorham, and from Pennsylvania Mr. Bayard.

The agents of the state of South-Carolina, report :

That the agents of the states of South-Carolina and Georgia, have not been able to agree upon the appointment of judges, and the fixing the time and place for holding the court for hearing and determining the matter in question between the said states, and thereupon :

The agents of South-Carolina pray, that Congress will proceed on Wednesday next, to strike a court agreeable to the confederation, for the trial of certain territorial claims between the states of South-Carolina and Georgia, to be held at such time and place as Congress shall determine, immediately after the appointment of the Judges to constitute the said court.

Ordered, That the agents for Georgia be furnished with a copy of the said report and prayer.

T U E S D A Y, *September 12, 1786.*

Congress assembled--Present, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina South-Carolina and Georgia; and from New-Hampshire Mr. Long, and from Massachusetts Mr. Gorham.

On the report of a committee, consisting of Mr. Pinckney, Mr. Bayard and Mr. Johnson, to whom was referred a report of the commissioner of army accounts, on the memorial of the reverend Robert Smith :

Resolved, That the board of treasury take order for paying to the reverend Robert Smith, the sum of three hundred and forty-five dollars, being for eleven months and an half pay, as one of the officers of the hospital department,
detained

detained in Charleston after its surrender to the British troops, in consideration of the extra expences incurred by him in the performance of his duty as chaplain to the southern hospital.

On a report of the board of treasury, to whom was referred a memorial of Cornelius Decker :

Resolved, That if the matter set forth in the memorial of Cornelius Decker, should on a proper enquiry by the commissioner of the loan-office for the state of New-York, be found well supported, the said commissioner be directed to cancel the certificate issued to the said Cornelius Decker, on account of monies by him deposited in the said office, and to issue another for the same amount, bearing date at the time the monies were loaned, taking care to endorse the interest, if any, which has been paid on the certificate by him cancelled.

W E D N E S D A Y, *September 13, 1786.*

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia ; and from New-Hampshire Mr. Long.

On the report of a committee consisting of Mr. Carrington, Mr. Bloodworth and Mr. Harrison, to whom was referred a motion of Mr. Bloodworth :

Resolved, That the secretary of Congress take order for having printed and bound in the usual manner, five hundred volumes of the journals of Congress for each of the years 1777, 1778, 1780, and 1781 1782.

The agents for South-Carolina and Georgia attending.

The agents for the state of Georgia, for answer to the notice given them of the report and prayer of the agents of South-Carolina, say that they have attended agreeable to the order of Congress, but have not been able finally to agree with the agents of South-Carolina upon the proper time for holding the said federal court ;--that they are desirous to proceed in such manner as that a legal and righteous decision may be had in this cause,--and that by the act of the legislature of the state of South-Carolina, passed on the 22d day of March, 1786, three commissioners are to be chosen and invested with full and absolute power and authority in behalf of the said state, to settle
and

and compromise all and singular the differences, controversies, disputes and claims which subsist between that state and the state of Georgia relative to boundary, and to establish and permanently fix the boundaries between the said states, provided the state of Georgia will appoint and vest commissioners with equal powers; and if it should so happen that the said commissioners may not be able to settle and compromise the said differences, then and in that case only, the governor of South-Carolina is authorised to appoint and direct agents in behalf of that state, to proceed agreeably to the ninth of the articles of confederation, finally to determine the dispute subsisting between the said states of South-Carolina and Georgia, respecting their territorial claims: That the legislature of the state of South-Carolina, did on the day of appoint three commissioners, vested with the powers and for the purpose aforesaid, and transmit information thereof to the state of Georgia, requesting that state to appoint and vest commissioners with sufficient power, mutually to settle and compromise all differences between the said states respecting their territory and boundary: That the state of Georgia has not yet had reasonable time to decide on the proposition made by South-Carolina and to transmit the result. Under these circumstances, the agents of the state of Georgia suggest, that the agents of the state of South-Carolina, are not legally authorised to press that Congress should immediately proceed, agreeably to the ninth of the articles of confederation, for a speedy and final decision in this cause; that they notwithstanding, relying on the wisdom, equity and justice of Congress, are content to act in such manner as they may direct.

A motion was then made by the delegates of Georgia, that Congress proceed to strike a court in the manner pointed out by the confederation, for the trial of certain territorial claims between the states of South-Carolina and Georgia, to be held at the city of New-York, on the first Monday in May next:

The latter part of the motion being postponed,

On the question:

Resolved, That Congress proceed to strike a court in the manner pointed out by the confederation, for the trial

trial of certain territorial claims between the states of South-Carolina and Georgia.

Accordingly Congress proceeded, and named three persons out of each of the United States, and from the list of such persons, each party alternately struck out one, the petitioners beginning, until the number was reduced to thirteen :

This done : On motion of the delegates of South-Carolina :

Resolved, That from the thirteen names left, nine names be drawn out by lot :

The names being then put into a box, the following were in the presence of Congress drawn out by lot, namely :

ALEXANDER CONTEE HANSON,
JAMES MADISON,
ROBERT GOLDSBOROUGH,
JAMES DUANE,
PHILEMON DICKINSON,
JOHN DICKINSON,
THOMAS M'KEAN,
EGBERT BENSON,
WILLIAM PYNCHON.

THURSDAY, September 14, 1785.

Congress assembled--Present, as yesterday.

A motion being made by the delegates of Georgia, that the court for hearing and determining the matter in question between the states of South-Carolina and Georgia, be held at the city of New-York on the first Monday in May next :

A motion was made by the delegates of South-Carolina, to postpone the motion of the delegates of Georgia, in order to take up the following :

“ That the federal court appointed to decide the territorial dispute between the states of South-Carolina and Georgia, be summoned to meet on the third Monday in November next,” and on the question to postpone for the purpose above mentioned, the yeas and nays being required by the delegates of South-Carolina :

New-Hampshire, Mr. Long

no)*
Massachusetts;

Massachusetts,	Mr. Gorham	no	} no
	Mr. Dane	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	
New-York,	Mr. Lawrance	no	} no
	Mr. Haring	no	
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	no	} no
	Mr. Symmes	no	
	Mr. Hornblower	no	
Pennsylvania,	Mr. Bayard	no	} divided
	Mr. St. Clair	ay	
Maryland,	Mr. Henry	no	} no
	Mr. Hindman	no	
	Mr. Harrison	no	
	Mr. Ramsay	no	
Virginia,	Mr. Carrington	no	} divided
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	no	} divided
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Kean	ay	
	Mr. Parker	ay	
Georgia,	Mr. Houstoun	no	} no
	Mr. Few	no	

So the question was lost.

After debate,

Resolved, That the court appointed to hear and determine the matter in question between the states of South-Carolina and Georgia be summoned to meet at the city of New-York, on the third Monday in June next.

The committee consisting of Mr. Kean, Mr. St. Clair and Mr. Pinckney, to whom was referred the draught of a deed offered by the delegates of Connecticut, grounded on an act of the legislature of the said state, having reported, "that the deed offered, is in conformity with the act of Congress of the 26th day of May last," and the delegates for Connecticut having thereupon proceeded and executed a deed of cession, agreeable to the resolution of the 26th May last, in the words following:

"To all who shall see these presents, we, William Samuel Johnson and Jonathan Sturges, the under written delegates

gates for the state of Connecticut, in the Congress of the United States, send greeting. Whereas the general assembly of the state of Connecticut, on the second Thursday of May, in the year of our Lord one thousand seven hundred and eighty six, passed an act in the words following, viz. "Be it enacted by the governor, council and representatives in general court assembled, and by the authority of the same, that the delegates of this state, or any two of them who shall be attending the Congress of the United States, be and they are hereby directed, authorised and fully empowered in the name and behalf of this state, to make, execute and deliver, under their hands and seals, an ample deed of release and cession of all the right, title, interest, jurisdiction and claim of the state of Connecticut to certain western lands, beginning at the completion of the forty-first degree of north latitude, one hundred and twenty miles west of the western boundary line of the commonwealth of Pennsylvania, as now claimed by said commonwealth, and from thence by a line to be drawn north, parallel to, and one hundred and twenty miles west of the said west line of Pennsylvania, and to continue north until it comes to forty-two degrees and two minutes north latitude. Whereby all the right, title, interest, jurisdiction and claim of the state of Connecticut, to the lands lying west of said line to be drawn as aforementioned, one hundred and twenty miles west of the western boundary line of the commonwealth of Pennsylvania, as now claimed by said commonwealth, shall be included, released and ceded to the United States in Congress assembled, for the common use and benefit of the said states, Connecticut inclusive." And whereas the said William Samuel Johnson, and Jonathan Sturges, were, on the second Thursday of May, A. D. one thousand seven hundred and eighty-five, elected delegates to represent the state of Connecticut, according to the law of said state, in the Congress of the United States, for the term of one year from the first Monday of November, in the said year one thousand seven hundred and eighty-five, which election remains in force, and the said William Samuel Johnson and Jonathan Sturges are the lawful delegates of said state in the Congress of the United States. Now therefore know ye, that we the said William Samuel Johnson and Jonathan Sturges,

Sturges, by virtue of the power and authority to us committed by the said act of the general assembly of Connecticut, before recited, in the name, and for and on behalf of the said state of Connecticut, do by these presents assign, transfer, quit claim, cede and convey to the United States of America, for their benefit, Connecticut inclusive, all the right, title, interest, jurisdiction and claim which the said state of Connecticut hath in and to the beforementioned and described territory or tract of country, as the same is bounded and described in the said act of assembly, for the uses in the said recited act of assembly declared. In witness whereof, we have hereunto set our hands and seals, this thirteenth day of September, in the year of our Lord one thousand seven hundred and eighty-six, and of the sovereignty and independence of the United States of America the eleventh. Wm. Sam. Johnson, (L. S.) Jonth. Sturges, (L. S.) Signed, sealed and delivered in presence of Charles Thomson, Roger Alden, James Mathers."

On motion,

Resolved, That Congress accept the said deed of cession, and that the same be recorded and enrolled among the acts of the United States in Congress assembled.

On a report of the commissioner of army accounts, to whom was referred a memorial of James Grigg, late a captain in the service of the United States :

Resolved, That invalid officers be permitted to return the amount of their commutation in other securities of the United States, where they have parted with their own, provided the same shall be of equal amount, and bearing the same interest.

F R I D A Y, September 15, 1786.

Congress assembled--Present as before.

On the report of a committee, consisting of Mr. Bayard, Mr. Hindman and Mr. St. Clair, to whom was referred a report of the board of treasury on a memorial of Mr. Andrew Caldwell :

Ordered, That the board of treasury liquidate and adjust the account of Andrew and James Caldwell, and report the same to Congress.

On the report of a committee, consisting of Mr. Harrison,

on, Mr. Carrington and Mr. Lee, to whom was referred a report of the commissioner of army accounts, on a petition of John Lefuer, in behalf of himself and Nathan Watkins:

Resolved, That the commissioner of army accounts issue to the said John Lefuer, a certificate for the sum of one hundred and twenty-eight dollars and 83-90ths of a dollar; and to the said Nathan Watkins, a certificate for the sum of two hundred and forty-eight dollars and 83-90ths of a dollar, in the usual manner.

M O N D A Y, September 18, 1786.

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, North-Carolina, South-Carolina and Georgia; and from New-Hampshire Mr. Long, and from Virginia Mr. Lee.

The committee, consisting of Mr. Pinckney, Mr. St. Clair, and Mr. Harrison, to whom was referred a letter of the 12th from the board of treasury, together with a letter from the commissioner of the loan-office in the state of Rhode-Island, and an act of the legislature of that state; having reported,

“That it appears from these communications the legislature of the state of Rhode-Island, by an act passed at their last session, have made the paper currency of that state receivable on all arrears of taxes due to the United States,—that as this explanation of the law of the state relative to the late requisition of Congress, entirely defeats the intentions of those acts, the commissioner of the loan-office has suspended the issue of indents in that state on the requisition of the 27th September, 1785, until he should receive the directions of the board of treasury on that subject. The board farther remark, that the legislature of the state of New-Jersey have also made their paper currency receivable on the arrears of taxes due on the requisition of the 27th and 28th April, 1784. On this statement the committee observe, that as the requisitions of Congress are calculated for the purpose of requiring from the states a sufficient sum for the payment of the interest due on the foreign and domestic debt and the maintenance of the civil department, no deviation can be admitted from the
the

the mode of payment therein established without exposing the funds of the United States to great loss and inconvenience, particularly as the discharge of the interest due on the foreign debt and the maintenance of the civil government must altogether depend upon the payments that are made into the federal treasury in specie. That to admit the receipt of bills of credit issued under the authority of an individual state in discharge of their specie proportion of a requisition would defeat its object, as the said bills do not circulate out of the limits of the state in which they are emitted, and because a paper medium of any state, however well funded, cannot either in the extensiveness of its circulation, or in the course of its exchange, be equally valuable with gold or silver. That if the bills of credit of the states of Rhode-Island and New-Jersey were to be received from those states in discharge of federal taxes, upon the principles of equal justice bills emitted by any other states must be received from them also in payment of their proportions, and thereby, instead of the requisitions yielding a sum in actual money, nothing but paper would be brought into the federal treasury, which would be wholly inapplicable to the payment of any part of the interest or principal of the foreign debt, or the maintenance of the government of the United States. That as the consequences of the precedents which have been established by the states abovementioned are dangerous to the interests of the union, the committee conceive it necessary for Congress to express their sense upon the subject : Whereupon,

Resolved, That as the annual requisitions of the United States in Congress assembled, are made by them in virtue of the powers of the confederation, and for the necessary purposes of government, the same are obligatory on the states as such, and ought to be discharged by them in the manner by the said requisitions directed and in no other.

Resolved, That as the payment of the interest and such parts of the principal of the foreign debt of the United States as are included in any of the requisitions of Congress, and the maintenance of the federal government, cannot be provided for, but by payments in specie into the federal treasury of the sums respectively required of the states there- in, no payments either in bills of credit or in any other mode than

than those pointed out by the said requisitions can or ought to be admitted in discharge of the same.

Ordered, That the board of treasury transmit a copy of the above resolutions to each state, and issue instructions to the respective loan-officers conformable thereto.

T U E S D A Y, September 19, 1786.

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire Mr. Long, and from Pennsylvania, Mr. Bayard.

On motion of Mr. Pinckney, seconded by Mr. Hornblower :

Ordered, That the board of treasury report the sums in specie value, which have been respectively advanced to the delegates of the several states, with the names of the delegates to whom the said sums were paid, and the times and purposes expressed in the resolutions on which they were advanced.

On the report of a committee consisting of Mr. Ramsay, Mr. Carrington and Mr. St. Clair, to whom was referred a memorial of Duncan Campbell, together with a report of the commissioner of army accounts thereon.

Resolved, That the commissioner of army accounts settle with and allow Duncan Campbell two hundred and seventy-seven dollars for bounty money advanced to fifty-four recruits, by order of general Arnold, and for arms, blankets and other things, furnished the said recruits,

W E D N E S D A Y, September 20, 1786.

Congress assembled--Present as before.

On the report of a committee, consisting of Mr. Pinckney, Mr. Dane and Mr. Carrington, to whom was referred a letter of the 19th from the post-master general :

Whereas the United States in Congress assembled are by the articles of confederation invested with the sole and exclusive right of establishing and regulating post-offices from one state to another throughout the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expences of the said

said offices: and whereas the present situation and demands of the post-office will on no account admit the receipt of any other money than specie; the paper currencies of the several states from their limited circulation and probable depreciation, being totally inadequate to the purpose:

Resolved, therefore, That the post-master general be and he is hereby directed to issue instructions to the post-masters in the several states to receive no other money in payment for postage than specie.

Resolved, That the post-master general be and he is hereby empowered in all cases where he may conceive it necessary to demand or authorise the demanding the postage at the time the letters are put into the post-office.

On the question to agree to the last resolution, the yeas and nays being required by Mr. Carrington,

Massachusetts,	Mr. Gorham	ay	✓
	Mr. Dane	ay	
Connecticut,	Mr. Johnson	ay	ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	ay
	Mr. Cadwallower	ay	
	Mr. Henry	ay	
Maryland,	Mr. Harrison	ay	ay
	Mr. Ramsay	ay	
Virginia,	Mr. Carrington	ay	ay
	Mr. Lee	ay	
North-Carolina	Mr. Bloodworth	ay	
	Mr. White	ay	ay
	Mr. Bull	ay	
South-Carolina,	Mr. Pinckney	ay	
	Mr. Kean	ay	ay
	Mr. Parker	ay	
Georgia,	Mr. Houston	ay	ay
	Mr. Few	ay	

So it was resolved in the affirmative.

THURSDAY, September 21, 1786.

Congress assembled---Present Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia,
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Virginia, North-Carolina, South-Carolina and Georgia.

The committee, consisting of Mr. Johnson, Mr. Carrington, Mr. Lee, Mr. Dane and Mr. Ramsay, to whom was referred a letter of the secretary at war of the 20th instant, with a paper inclosed, having reported "that in their opinion the measures adopted by the said secretary relative to the ordnance and stores mentioned in his letter were proper and expedient."

In order to prevent any damage being hereafter done to the said ordnance and stores,

Resolved, That the secretary at war adopt such measures and make such arrangements as in his opinion shall be best calculated for the preservation of the same.

On the report of a committee, consisting of Mr. Carleton, Mr. Bayard and Mr. Johnson, to whom was re-

Repetition of David Henly :

dollars *ad*, That David Henly be allowed five hundred ces while indemnification for his extraordinary expen- guard over command with the militia employed as a of Massachusetts convention troops at Cambridge in the state board of treasury the years 1777 and 1778, and that the sum. be order for the payment of the said

F R I D A Y, September 22, 1786.

Congress assembled--Present as before.

M O N D A Y, September 25, 1786.

Congress assembled--Present Massachusetts, Rhode-Is- land, Connecticut, New-York, New-Jersey, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Pennsylvania Mr. St. Clair.

On the report of a committee, consisting of Mr. Dane, Mr. Lee and Mr. White, to whom was referred a memorial of the surveyors employed in the western country to lay out the lands of the United States in pursuance of the ordinance of Congress of May 20, 1785 :

Resolved, That Benjamin Tupper, William W. Morris, Alexander Parker, James Simpson, Robert Johnson, Isaac Sherman, Absolam Martin and Edward Dowse, be allowed sixteen

sixteen hundred and seventy-three dollars and 62-90ths of a dollar, being the amount of their expenditures in the year 1785, as appears by their accounts accompanying the memorial of Thomas Hutchins, geographer of the United States, in December last, and that the geographer govern himself accordingly.

The committee, consisting of Mr. King and Mr. Monroe, appointed to confer with the legislature of Pennsylvania, being returned, report, that in conformity with the act of Congress of the 11th day of August last, they have attended and conferred with the legislature of Pennsylvania, and on the 21st inst. received a letter from the speaker of the general assembly of that state, together with their resolution of the same day, in reply to the resolve of Congress and the communications of the committee, both which they laid before Congress.

T U E S D A Y, *September 26, 1786.*

Congress assembled---Present Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

W E D N E S D A Y, *September 27, 1786.*

Congress assembled---Present as yesterday.

The agents for the states of New-York and Massachusetts presented to Congress the following representation and request, to wit,

“ To the honorable the United States of America in Congress assembled, the subscribers, agents of the states of New-York, and Massachusetts beg leave to represent that they have agreed upon the honorable William Hooper, Esq. of North-Carolina, to be a judge instead of the honorable James Monroe, Esq. who hath declined his appointment to sit in a federal court for the trial of a controversy between the said states of Massachusetts and New-York, which controversy is suggested in the petition of the former, now on the journals of Congress; and thereupon the said agents do humbly request that notice hereof may be given to the said William Hooper, Esq. and that
upon

upon his acceptance, a commission may be issued to him together with the honorable Thomas Johnson, George Wythe, George Read, Isaac Smith, William Patterson, Samuel Johnson, William Fleming and John Sitgreaves, Esquires, constituting them a court, according to the confederation, to hear and determine the controversy aforesaid.

Dated 22d September, 1786.

N. GORHAM,	}	agents for Massachusetts.
R. KING,		
N. DANE,		
JAS. DUANE,	}	agents for New-York.
JOHN HARING,		
MELANCTON SMITH,		
EGBERT BENSON,		

T H U R S D A Y *September 28, 1786.*

Congress assembled---Present, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Maryland Mr. Ramfay.

F R I D A Y, *September 29, 1786.*

Congress assembled---Present Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

Congress proceeded in the consideration of an ordinance for the government of the western territory; reported, by Mr. Johnson, Mr. Pinckney, Mr. Smith, Mr. Dane and Mr. Henry---

And the following clause being under debate, to wit.

"The governor, judges, legislative council, secretary, and such other officers as Congress shall at any time think proper to appoint in such district, shall take an oath of office, prescribed on the 27th day of January, 1785, to the secretary at war, mutatis mutandis."

A motion was made by Mr. Smith, seconded by Mr. Haring, to amend the same by striking out the latter part of that paragraph, viz. "An oath of office, &c." to the end

end ; and in lieu thereof, inserting " An oath of fidelity to the United States, in the words following, viz. I, A. B. appointed to the office of do acknowledge, that I do owe true faith and allegiance to the United States of America, and I do swear, or affirm, that I will, to the utmost of my power, support, maintain and defend the said United States in their freedom, sovereignty and independence, against all opposition whatsoever: and also, an oath of office in the words following, viz. I, A. B. appointed to the office of do swear, or affirm, that I will faithfully, truly and impartially execute the office of to which I am so appointed, according to the best of my skill and judgment.

On the question to agree to this amendment, the yeas and nays being required by Mr. Smith.

Massachusetts,	Mr. Gorham	ay	} no
	Mr. King	no	
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. St. Clair	no	
Maryland,	Mr. Henry	no]*
Virginia,	Mr. Carrington	no	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Parker	no	
Georgia,	Mr. Houstoun	no	} no
	Mr. Few	no	

So the question was lost.

A motion was then made by Mr. Smith, seconded by Mr. Bloodworth, to strike out the paragraph ; and on the question shall the paragraph stand ? the yeas and nays being required by Mr. Smith:

Massachusetts,

Massachusetts,	Mr. Gorham	no	} ay
	Mr. King	ay	
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} divided
	Mr. Sturges	no	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	no	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. St. Clair	ay	
Maryland	Mr. Henry	ay	} *
Virginia,	Mr. Monroe	no	
	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	no	} divided
	Mr. White	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Parker	ay	} ay
Georgia,	Mr. Houstoun	ay	
	Mr. Few	ay	

So it was resolved in the affirmative.

The further consideration of the ordinance being postponed,

On motion of Mr. Pinckney, seconded by Mr. Henry :

Resolved, That the board of treasury be, and they are hereby directed to advance to the secretary at war, one thousand dollars ; he to be accountable.

The delegates for Georgia, laid before Congress an act of that state, in pursuance of the recommendation of the 30th April 1784, passed the 2d of August 1786, vesting the United States in Congress assembled, for the term of fifteen years commencing on the day Congress shall begin to exercise the powers, with a power to prohibit the importation or exportation of goods, wares or merchandize, in ships belonging to or navigated by subjects of powers with whom the United States shall not have formed treaties of commerce, and to prohibit the subjects of foreign states, unless authorised by treaty, from importing goods, wares

or

or merchandize which shall not be the produce or manufacture of the dominion of the sovereign whose subjects they are, provided that nine states agree in the exercise of this power, and that it do not extend to prohibit the importation of negroes, and that the act shall not have force until the other twelve states have substantially complied with the recommendation above mentioned.

M O N D A Y October 2, 1786.

Congress assembled--Present, Massachusetts Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island Mr. Miller, and from Maryland Mr. Henry.

T U E S D A Y, October 3, 1786.

Congress assembled--Present, as yesterday.

On the report of a committee, consisting of Mr. St. Clair, Mr. Carrington and Mr. Johnson, to whom was referred a memorial of the late general Charles Scott, together with the report of the board of treasury thereon:

Resolved, That there be allowed to the late general Charles Scott one thousand and sixty-six dollars, and sixty ninetieths of a dollar, for one hundred and sixty pounds of bark, furnished by him for the use of the sick prisoners on Hadrel's Point, in the years, 1780 and 1781, and that the board of treasury take order for paying the same.

On the report of a committee, consisting of Mr. St. Clair, Mr. Smith and Mr. Henry, to whom was referred a report of the commissioner of army accounts, on a petition of the executor of the late brigadier-general William Thompson:

Resolved, That the commissioner of army accounts adjust the ration account of the late brigadier-general W. Thompson, charging him with whatever appears from the certificate of the commissioner for settling the accounts of the commissary's department to have been by him received, and crediting him with what he was entitled to receive, and reduce the balance to money at the established rates, and carry the same to the debit or credit of his account with the United States as the case may require.

That

That the commissioner of army accounts pass to the credit of the late brigadier Gen. W. Thompson the sum of nineteen thousand five hundred and seventy nine dollars and seventy ninetieths of a dollar, with which he stands charged, on account of and for pay of his regiment, and as money drawn for men returned from captivity, and that he pass also to the credit of the general, twenty six dollars and seventy-three ninetieths of a dollar, being so much over paid, as appears by the disbursements of 5000 dollars, part of the above sum. That he also pass to his credit all such disbursements contained in an account exhibited by his executor, and extracted from memorandums found among his papers, which memorandums accompany the account, as shall in his judgment appear to be proper charges against the United States.

W E D N E S D A Y, *October 4, 1786.*

Congress assembled---Present as before.

Mr. S. H. Parsons, having in a letter of the 29th September, stated sundry circumstances, and informed Congress that under these circumstances, the duties he owes to his family forbid his absenting himself from them a time sufficient to discharge the duties of his commission in Virginia, and therefore prayed Congress to accept his resignation.

On motion of Mr. Carrington, seconded by Mr. Lee :

Resolved, That the resignation of Mr. S. H. Parsons be accepted.

Resolved. That to-morrow be assigned for the election of a commissioner, in pursuance of the resolution of the 13th April, 1785, in the room of Mr. Parsons resigned.

Congress resumed the consideration of the ordinance for the government of the western territory, and

A motion was made by Mr. Dane, seconded by Mr. Smith, to amend the ordinance by adding :

“Whereas Congress on the 7th July last, recommended it to the legislature of the state of Virginia (here insert the recommendation) And whereas, the said state not having been in session, hath not yet revised her said act, and from this circumstance, it remains uncertain what number of states may hereafter be formed in the said territory,

ritory and consequently of what extent each state must be; and whereas there is reason to expect that the said state will comply with the said recommendation, whereby Congress will be enabled with more propriety to determine at what periods, the new states, that may be formed in the said territory, shall, on principles of equality, be admitted into the confederacy. Be it ordained, that when the said state shall finally determine, relative to the said recommendation, Congress will ascertain and fix the number of free inhabitants, which shall entitle each district, or new state, that may be formed in the said territory, to an admission into the confederacy, on an equal footing with the original states."

On the question to agree to this amendment, the yeas and nays being required by Mr. Carrington.

Massachusetts,	Mr. Gorham	no	} ay
	Mr. King	ay	
	Mr. Dane	ay	
Rhode-Island,	Mr. Miller	ay	} *
Connecticut,	Mr. Johnson	ay	
	Mr. Sturges	no	} divided
New-York,	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. St. Clair	ay	
Maryland,	Mr. Henry	no	} *
Virginia,	Mr. Carrington	no	
	Mr. Lee	no	} no
North-Carolina,	Mr. Bloodworth	no	
	Mr. White	no	} no
South-Carolina,	Mr. Bull	no	
	Mr. Pinckney	no	} no
	Mr. Huger	no	
	Mr. Parker	no	} divided
Georgia,	Mr. Houstoun	no	
	Mr. Few	ay	

So the question was lost.

THURSDAY, October 5, 1786.

Congress assembled--Present as before.

Congress

Congress proceeded to the election of a commissioner in pursuance of the resolution of the 13th April, 1785, in the room of Mr. Parsons, who has resigned; and the ballots being taken,

Mr. Edward Fox was elected, having been previously nominated by Mr. Pettit.

Congress resumed the consideration of a report of a committee, consisting of Mr. Smith, Mr. Long, Mr. Johnson, Mr. Bull, Mr. Carrington, Mr. Henry and Mr. Kean, to whom was referred a motion of Mr. King, together with a motion of the delegates of Virginia on the subject of the settlement of the accounts of individual states with the United States, which report being in the nature of an ordinance was debated by paragraphs; and the first and second paragraphs being amended to read as follows:

That the authority of the commissioners appointed to settle the accounts between the United States and individual states, shall from and after the first day of January next terminate and cease.

That a board to consist of three members, any two of whom shall be a quorum, be appointed, who shall be and hereby are invested with all the powers and authorities of the aforesaid commissioners, and shall sit where Congress may from time to time direct.

The third paragraph was then read as reported, viz. "That in cases where no written vouchers are or can be produced, and the said board shall receive satisfactory evidence that such vouchers have been destroyed or unavoidably lost, or that from the circumstances of the case they have never been obtained, they may receive such other evidence as shall be satisfactory to them, but the best that the nature and circumstances of the case will admit of; and at their discretion may examine, on oath, any person or persons they may think fit respecting the claims which shall be exhibited for settlement, whether accompanied with written vouchers or not, when the evidence is not sufficient to satisfy them of the truth or justice thereof." A motion was made by Mr. Smith, seconded by Mr. Hornblower, to amend by inserting after "where," in the first line, the words following, viz. "Claims are founded on existing resolutions of Congress but" so that it read, "That in cases where claims are founded on existing

existing resolutions of Congress, but no written vouchers, &c." On the question to agree to this amendment, the yeas and nays being required by Mr. Smith.

Massachusetts,	Mr. Gorham	ay	} ay.
	Mr. Dane	ay	
Rhode-Island,	Mr. Miller	ay	} *
Connecticut,	Mr. Johnson	ay	
	Mr. Sturges	ay	} ay.
New-York,	Mr. Haring	ay	
	Mr. Smith	ay	} ay.
New-Jersey,	Mr. Cadwallader	ay	
	Mr. Symmes	ay	} ay.
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay.
	Mr. St. Clair	ay	
Maryland,	Mr. Henry	ay	} *
Virginia,	Mr. Monroe	no	
	Mr. Carrington	no	} no
	Mr. Lee	no	
North-Carolina,	Mr. Bloodworth	no	} no
	Mr. White	no	
South-Carolina,	Mr. Pinckney	no	} no
	Mr. Huger	no	
	Mr. Parker	no	} no
Georgia,	Mr. Houstoun	no	
	Mr. Few	no	

So the question was lost.

On motion, the whole paragraph was struck out.

A motion was then made by the delegates of Virginia, in lieu of the paragraph struck out, to insert another, which being amended, to read as follows :

That in cases where no written vouchers can be produced for claims founded upon existing resolutions of Congress, and the said board shall receive satisfactory evidence that such vouchers have been destroyed or unavoidably lost, or that from the circumstances of the case they have never been obtained, they may receive such other evidence as shall be satisfactory to them, provided the same be the best that the nature and circumstances of the case will admit of ; and at their discretion may examine, on oath, any person or persons they may think fit respecting the claims which shall be exhibited for settlement, whether

whether accompanied with written vouchers or not. And whenever it shall become necessary to obtain the testimony of any person or persons touching a claim, who may not reside or be present at the place where the board shall be sitting, it shall be in the power of the said board, and they are hereby directed to cause such testimony to be taken by way of deposition, in the form and manner prescribed by the laws and usages of the state wherein such person or persons may respectively reside.

A division was called for ; and on the question to agree to the first clause, viz. That in cases where, &c. to "with written vouchers or not," inclusive, the yeas and nays being required by Mr. Carrington.

Massachusetts,	Mr. Gorham	ay	} ay
	Mr. Dane	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. St. Clair	ay	
Maryland,	Mr. Henry	ay	} *
	Mr. Monroe	ay	
Virginia,	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So it was resolved in the affirmative.

A motion was then made by Mr. Pinckney, seconded by Mr. St. Clair, that the report and remainder of the motion before the house together with a motion which he read in his place, be referred to the board of treasury with orders to report thereon with all convenient dispatch. The motion of Mr. Pinckney being as follows :

Whereas it is expedient some just and equal principles should

should be established for liquidating and settling the accounts of individual states with the United States :

Resolved, That from and after the day of the authority of the commissioners appointed to settle the accounts between the United States and individual states, cease and determine. That a board to consist of members, any of whom to be a quorum, be appointed, who shall be, and hereby are invested with all the powers and authorities of the said commissioners, and who shall sit in such places as Congress may from time to time direct, as most convenient to the state or states, whose claims they are to settle. That the several states, having claims against the United States, cause the same to be laid before the said board within years from the date of these resolutions. That whenever a state shall bring forward a claim against the United States for services done, supplies furnished, or advances made for their use, the said board are hereby authorized and instructed to receive and examine the same, whether sanctioned by existing resolutions of Congress or otherwise--That in the investigation of the said demand, it shall be the duty of the board to require the best evidence the nature and circumstance of the claim will admit--that in cases where no written vouchers are or can be produced, and the said board shall receive satisfactory evidence such vouchers have been destroyed or unavoidably lost, or were from the circumstances of the case never obtained, they may receive such other evidence in support of charges as they may think just and proper ; and if upon a due and fair examination it shall appear to them, that the said services, supplies or advances, were really and truly done, furnished and made, under the authority of any of the officers, civil or military, of the United States, for the use of the said states, and for which they ought to be accountable, the said board are hereby authorized, empowered and instructed, to admit the same as a charge against the United States, to such extent and upon such principles as shall appear to them just and reasonable. That where supplies have been furnished by individuals for the use of the army of the United States, and have been assumed by any state, the said board are hereby authorized and instructed to liquidate the said claims upon the same principles as though they had remained in the hands of individuals, and admit them as a charge against the United

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ted States : provided that nothing contained in this resolution shall be taken or construed to prejudice or affect the resolutions of February 25, or June 1, 1780, or any other resolution allowing a state payment for supplies furnished the United States. That in all cases where doubts may arise with the said board, as to the justice or propriety of the claims of a state, they shall report the same to Congress, as soon as may be, with their examination and opinion thereon, in order that such decision may be had, as shall accord with justice and equity--- That each of the members of the said board, shall, previous to his entering on the duties of his appointment, take and subscribe the following oath, before I, A. B. appointed to the office of a member of the board for settling the accounts between the United States and individual states, do swear (or affirm) that I will well and faithfully serve the United States, in the said office, and that in all things belonging thereto, I will faithfully, justly and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favour or affection. That the commission of the said board continue in force years, and no longer.

On the question to agree to the motion for a reference, the yeas and nays being required by Mr. Pinckney.

Massachusetts	Mr. Gorham	ay	} divided
	Mr. Dane	no	
Connecticut,	Mr. Johnson	no	} no
	Mr. Sturges	no	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	no	} divided
	Mr. St. Clair	ay	
Maryland	Mr. Henry	ay	} *
Virginia,	Mr. Monroe	ay	
	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
North-Carolina,	Mr. Bloodworth	ay	} ay
	Mr. White	ay	
South-Carolina,	Mr. Pinckney	ay	} ay
	Mr. Huger	ay	
			Georgia,

Georgia,

Mr. Houstoun

ay } ay

Mr. Few

ay }

So the question was lost.

The farther consideration of the report being postponed till to-morrow.

On the report of a committee consisting of Mr. King, Mr. Smith and Mr. Dane, to whom was referred a report of the board of treasury on a memorial of colonel W. Finnie:

Resolved, That there be paid to colonel William Finnie, by the board of treasury, two hundred and eighty-five dollars and fifty-one ninetieths of a dollar, in part of a certificate heretofore issued to him for 2,634 19-90th dollars. That the said certificate be delivered to the comptroller of the treasury and cancelled, and that the comptroller issue to the said William Finnie, another certificate for the balance.

F R I D A Y, October 6, 1786.

Congress assembled--Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island Mr. Miller.

On motion of Mr. Pinckney, seconded by Mr. St. Clair:

Resolved, That Congress now proceed to the election of a superintendant for the southern district, agreeably to the ordinance for the regulation of Indian affairs, and that he be directed immediately to proceed to the states of North-Carolina, South-Carolina and Georgia, for the purposes mentioned in the said ordinance.

Congress proceeded to an election; and the ballots being taken,

Mr. James White of North-Carolina was appointed, having been previously nominated by Mr. St. Clair.

On motion of Mr. Pinckney, seconded by Mr. St. Clair:

Resolved, That the oaths required of the superintendants of Indian affairs be taken before any one of the judges of the supreme court in any of the United States.

Congress proceeded in the consideration of the report of the committee on the motions touching the settlement of accounts between the United States and individual states,
and

and having gone through the same, and made sundry amendments:

Ordered, That it be transcribed in form of an ordinance; and that Monday be assigned for the second reading.

M O N D A Y *October 9, 1786.*

Congress assembled---Present Massachusetts, Connecticut, New-York, New-Jersey, Maryland, Virginia, South-Carolina and Georgia; and from Rhode-Island Mr. Miller, and from Pennsylvania Mr. Pettit.

T U E S D A Y, *October 10, 1786.*

Congress assembled---Present, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Maryland, Virginia, South-Carolina and Georgia; and from Pennsylvania, Mr. Pettit.

On the report of a committee, consisting of Mr. Smith, Mr. Pinckney and Mr. Sturges, to whom were referred a letter from the superintendant of Indian affairs, for the northern district, and a motion from the state of Georgia:

Resolved, That the superintendant of Indian affairs, for the southern district, be, and he is hereby directed, to repair to the states of North-Carolina, South-Carolina and Georgia, agreeably to the resolution of Congress of the 6th of the present month, and as there is reason to believe there are animosities existing between the Indian nations and the inhabitants of the frontiers of North-Carolina and Georgia, the said superintendant is hereby directed to investigate the causes of the uneasinesses, and report the same to Congress, with all convenient dispatch, in order that such measures may be adopted, as may be most consistent with the interests of the United States, and the safety of their citizens.

That the said superintendant be, and he is hereby directed, in the course of his examination and in the execution of the duties of his office, to confer and consult with the executives of the states of North-Carolina, South-Carolina and Georgia, and that it be, and it is hereby recommended to them to afford him all the aid and protection in their power, for the purposes above-mentioned.

Resolved,

Resolved, That if upon due examination, it shall be discovered that the Indians should refuse reasonable terms of pacification, and evince a disposition to commit or continue hostilities upon the citizens of the said states, that the executives of the states, whose inhabitants are subject to the effects of such hostility, be informed that Congress are determined always to afford the most ample protection in their power to the citizens of the United States.

Ordered, That the board of treasury take order for giving the superintendant for the southern district, an order on the state of North-Carolina, for a sum not exceeding five hundred dollars, for which the said superintendant shall be accountable.

An ordinance for the establishment of the mint of the United States of America, and for regulating the value and alloy of coins, being read a second time.

Ordered, That Thursday next be assigned for the third reading.

The committee, consisting of Mr. Pinckney, Mr. King and Mr. Carrington, to whom was referred a report of the board of treasury, on a motion from South-Carolina, having reported,

“ That it appears from the said report, that there is a balance of three thousand three hundred nineteen dollars due to the officers of the late Maryland line, for three months pay, due the subalterns and two months due the officers of other grades, in 1782, and four months due the officers in 1783 : That there are thirteen thousand four dollars and ten ninetieths of a dollar, due the officers of the late Virginia line, and ten thousand two hundred seventy-six dollars and twelve ninetieths, due the officers of the late South-Carolina line and hospital department, for the same pay in 1782 and 1783.”

Resolved, That it be, and it is hereby recommended to the states of Maryland and Virginia, to pay to the officers of their respective lines, the sums which shall appear due to them for the said three months pay in 1782, and four months in 1783, agreeably to the return of the late paymaster general, for which sums, when paid, the said states shall be entitled to a credit on their specie proportions of the requisition of September, 1785.

That it be, and it is hereby recommended to the state

of

of South Carolina, to pay to the officers of their late line and hospital department, the said sum of ten thousand two hundred and seventy-six dollars and twelve ninetieths, mentioned to be due to them by the said report, the said sum to be paid to the said officers, agreeably to a return of the late pay-master general, and for which the said state shall have credit, on the specie proportion of the last requisition.

On a report of the commissioner of accounts for the marine department, to whom was referred a petition of Abraham Whipple.

Resolved, That as it appears from the deposition of captain Whipple, that the sum of money, stated in his petition, was public money stolen from him, without any negligence on his part, and that the sum therein said to be remaining in his hands, is the actual money he received from the public, and has never been applied to any use since it came into his possession, the commissioner of accounts, pass the said sums to his credit, on his returning the said money, on hand, to the commissioner :

That, as it appears also from the deposition of the said captain Whipple, that he expended a large sum of money in providing sea stores for a number of passengers, ordered on board his ship in France, by Doctor Franklin, the commissioner of accounts, be, and he is hereby directed to ascertain, as near as possible the amount thereof, and allow it on the settlement of the said A. Whipple's account, upon his producing sufficient evidence, that the said passengers were received by Dr. Franklin's order.

W E D N E S D A Y, October 11, 1786.

Congress assembled---Present, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, South-Carolina and Georgia.

On the report of a committee, consisting of Mr. Smith, Mr. Pinckney, and Mr. Sturges, to whom was referred a letter from the superintendant of Indian affairs, for the northern district.

Resolved, That the secretary of Congress prepare a commission for the superintendants of each district, that the same, when prepared, be signed by the president, and that the great seal of the United States be affixed thereto.

Resolved,

Resolved, That the secretary at war, report with all convenient dispatch the draft of such instructions for the government of the superintendants of the northern and southern districts, in the execution of the duties of their office, as when agreed to by Congress, it will be proper to transmit to them respectively for that purpose.

Resolved, That the board of treasury take order for directing the contractors, for furnishing the federal troops with supplies, to deliver to the order of the superintendant of the northern district, such provisions as shall, in his opinion, be proper for the accommodation of those friendly Indians it may be necessary for him, from time to time, to confer with.

Resolved, That the board of treasury order such goods as belong to the United States, and are now in the custody of the commanding officer at the mouth of the Miami, to be delivered to the superintendant of the northern district, to be disposed of as Congress shall hereafter direct.

Resolved, That the board of treasury take order for advancing to the superintendant of the northern district, a sum not exceeding five hundred dollars, for which he is to be accountable.

Resolved, That the board of treasury take order for advancing to the superintendant of Indian affairs for the southern district, a sum not exceeding five hundred dollars, for which he is to be accountable; and that the order of yesterday for giving him an order on the state of North-Carolina, be and it is hereby countermanded.

T H U R S D A Y October 12, 1786.

Congress assembled---Present as before.

On the report of a committee, consisting of Mr. Smith, Mr. Johnson and Mr. Bayard, to whom was referred a report of the board of treasury, on a petition of three of the late clerks of the commissioners, for settling the accounts of the five great departments.

Resolved, That the board of treasury take order for paying to James Burnside, Doyle Sweeny, Robert Underwood, William Simmons, Charles Burrell, Charles Garvis and Thomas Benedict, who were employed as clerks in

in the offices of the commissioners of the five great departments, their salaries, from the 15th of April last to the time when the books and papers of the respective departments were delivered over to the present commissioners.

Congress proceeded in the second reading of the ordinance for establishing a board to liquidate and settle all accounts between the United States and individuals states, when a motion was made by Mr. Dane, seconded by Mr. Johnson, to strike out the following clause, viz.

“That where any state has assumed to pay its citizens for supplies furnished for the use of the United States, the said board are hereby authorized and instructed, provided the assumptions have been made before the 10th October, 1786, to liquidate and settle such claims, agreeably to such rules as have been heretofore established for settling the same, had they remained with the individuals and accordingly to reject or admit them as a charge against the United States.” And on the question, shall that paragraph stand? the yeas and nays being required by Mr. Bull.

Massachusetts,	Mr. Gorham	ay	} divided
	Mr. Dane	no	
Rhode-Island,	Mr. Manning	no	} no
	Mr. Miller	no	
Connecticut,	Mr. Johnson	no	} divided
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} divided
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
	Mr. Hornblower	ay	} ay
Pennsylvania,	Mr. Pettit	ay	
	Mr. Bayard	ay	} ay
Maryland,	Mr. Henry	ay	
	Mr. Hindman	ay	} ay
	Mr. Ramsay	ay	
Virginia,	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	} ay
	Mr. Parker	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So

So the question was lost, and the paragraph was struck out.

The ordinance being amended to read as follows:

“An ordinance for establishing a board to liquidate and settle all accounts between the United States and individual states.

It is hereby ordained, by the United States in Congress assembled, that the authority of the commissioners, appointed in pursuance of the resolution of Congress of the 20th February, 1782, shall from and after the first day of April next, terminate and cease, except the commissioners for the states of North-Carolina and Georgia, who shall continue in office for the purpose of settling the claims of individuals, for such longer time, not exceeding six months, as the board of treasury shall direct: Provided always, that the board of treasury may sooner dismiss any of the said commissioners. That a board to consist of three members, any two of whom shall be a quorum, be appointed, who shall be, and hereby are, invested with all the powers and authorities of the aforesaid commissioners, so far as they relate to the settlement of the accounts between the United States and individual states, and shall sit where Congress may from time to time direct.

That in cases where no written vouchers can be produced, for claims founded upon existing resolutions of Congress, and the said board shall receive satisfactory evidence that such vouchers have been destroyed or unavoidably lost, or that from the circumstances of the case, they have never been obtained, the said board may receive such other evidence, as shall be satisfactory to them, provided the same be the best that the nature and circumstances of the case will admit of; and at their discretion may examine, on oath, any person or persons they may think fit, respecting the claims exhibited, whether accompanied with written vouchers or not.

That in cases where the testimony of a witness, not residing within twenty miles of the place where the said board shall sit, shall appear to be essential, the said board are hereby authorised to issue a commission to some proper person or persons, to take his deposition in writing, with the interrogatories and answers, in presence of
the

the agent or agents of the party claimant, his or their attorney, and the person appointed by the said board, agent on the part of the United States : And the said board are hereby authorized to appoint some suitable person to be present as agent of the United States, at the taking such deposition, to interrogate the witness, and observe that his evidence contain the whole truth, and nothing more : And the said board shall in each commission notify to the person or persons to whom the said commission may be issued, the name and place of residence of such agent, and the said person or persons shall give due notice in writing to the party claimant, and to the said agent to be present at the taking such deposition, allowing at the rate of one day for every ten miles the most remote of them shall be from the place where the deposition is to be taken.

That it be, and it is hereby recommended to the legislatures of the several states, to pass laws to enable the said board, and the person or persons so commissioned by them, to call before them, respectively, witnesses, and examine them on oath or affirmation in all matters touching the claims exhibited to the said board.

That where any state has claims against the United States, not authorized or sanctioned by existing resolutions of Congress, and the same shall be laid before the said board, within one year after the organization thereof, the board shall examine the same, and report the state of such claims, with their opinion thereon, to Congress.

That the members of the said board, respectively, shall be allowed a salary at the rate of two thousand dollars per annum, to be computed on the time they shall be actually employed in the said service.

That the commission of the board shall continue in force for three years, unless sooner revoked by Congress."

A motion was then made by Mr. Dane, seconded by Mr. Miller, to postpone the further consideration of the ordinance, in order to take up the following propositions :

" That in settling accounts between the United States and individual states, each state shall have credit on the continental specie establishment of for the pay of all the troops, such state in the late war actually furnished, over and above her proportion of the troops actually furnished

furnished by all the states on the requisitions of Congress, and such state shall be charged with all the advances, reduced to specie value by the scale of depreciation, made by the United States, on account of pay to such troops, furnished by such states over and above her quota as aforesaid, and the balance found due to such states which have furnished more than their quota as aforesaid, shall be charged to the states deficient, by the rule aforesaid in proportion to their deficiencies. And until a federal rule can be established on the principles of the confederation each state's quota shall be ascertained by the rules by which the states from time to time have been quotaed, and that the secretary at war be directed to lay before Congress an account of the number of troops furnished on the requisitions of Congress by each state from the 19th day of April, 1775, to the end of the late war, with the times they respectively continued in service, and the paymaster general be directed to lay before Congress an account of all advances, reduced to specie value by the scale of depreciation, made by the United States, on account of pay to the troops furnished by each state as aforesaid. That each state shall have credit for the specie value of all bounties paid, or contracted to be paid by such state, her towns or citizens, from the 19th of April, 1775, to the end of the late war, to all the troops by such state actually raised and borne on the continental muster rolls on each requisition of Congress over and above such states quota of the troops so raised and borne on said rolls from all the states; provided the said credit in no case exceed the average values of bounties given by the states, and the amount in specie of said surplus bounties being ascertained as aforesaid, each deficient state shall be charged its proportion thereof, according to its deficiencies. And until a federal rule can be established on the principles of the confederation, each state's quota of the troops so furnished shall be ascertained by the same rules by which troops from time to time have been quotaed on the states; and that the secretary at war be directed to lay before Congress, an account of the number of troops so furnished by each state on each requisition of Congress, specifying the times of service for which they were respectively enlisted. That from and after the first day of March next, no further payments be admitted

on the requisition of Congress of March 18, 1780, for the redemption of one hundred and ninety-five millions of dollars of the old emission money quoad on the twelve eastern states, and that each state found deficient on that requisition after that period, shall be charged for its deficiencies at the rate of one specie dollar for every forty dollars of said emission it shall be found so deficient, with an interest thereon of six per cent. per annum, from the times the payments of the said requisitions become due."

On the question to postpone for the purpose above mentioned, the yeas and nays being required by Mr. Miller.

Massachusetts,	Mr. Gorham	ay	} ay
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	no	} no
	Mr. Symmes	no	
	Mr. Hornblower	ay	
Pennsylvania,	Mr. Pettit	no	} no
	Mr. Bayard	no	
Maryland,	Mr. Henry	no	} no
	Mr. Hindman	no	
	Mr. Ramsay	no	
Virginia,	Mr. Carrington	no	} no
	Mr. Lee	no	
South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Huger	no	
	Mr. Parker	no	
Georgia,	Mr. Houstoun	no	} no
	Mr. Few	no	

So the question was lost.

F R I D A Y, October 13, 1786.

Congress assembled---Present as before.

On the report of a committee, consisting of Mr. Hornblower, Mr. Symmes and Mr. Smith, to whom was referred

referred a memorial of Capt. Daniel Baldwin, with a report of the secretary at war and board of treasury thereon :

Resolved, That the commissioner of army accounts make out a certificate to Capt. Daniel Baldwin for one thousand dollars in full for his services, expences and disbursements, for public service during the time he was stationed at Newark, in New-Jersey, in consequence of an order from his excellency the commander in chief.

Congress resumed the consideration of the ordinance for establishing a board to liquidate and settle all accounts between the United States and individual states : and motion was made by Mr. Pinckney, seconded by Mr. Carrington, to insert in the ordinance, in lieu of the paragraph struck out, the following clause :

That where supplies have been furnished by individuals for the use of the army of the United States from the 1st of January, 1780, and have been assumed by any state, the said board are hereby authorised and instructed to liquidate the said claims upon the same principles as if they had remained in the hands of individuals, and admit them as a charge against the United States ; that all other debts due from the United States to individuals and assumed by any state be liquidated upon the same principles as if they had remained in the hands of the individuals, and admitted as a charge against the United States in their general account with the state so assuming ; provided that nothing contained in this resolution be taken or construed to prejudice or affect the resolutions of February 25th, and of 1st June, 1780, or any other resolution, allowing a state payment for supplies furnished the United States.

A motion was made by Mr. Smith, seconded by Mr. Johnson, to amend the motion by striking out the words " upon the same principles as if they had remained in the hands of individuals, and admit them as a charge against the United States : " and on the question, shall these words stand ? the yeas and nays being required by Mr. Pinckney.

Massachusetts,

Mr. Gorham

no } no

Mr. Dane

no

Rhode-Island,

Mr. Manning

n } no

Mr. Miller

no

Connecticut

Connecticut,	Mr. Johnson	no	} divided
	Mr. Sturges	ay	
New-York,	Mr. Haring	no	} no
	Mr. Smith	no	
New-Jersey,	Mr. Cadwallader	no	} no
	Mr. Symmes	no	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Ramsay	ay	
Virginia,	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Huger	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So the question was lost, and the words were struck out.

A question being taken on the motion as amended, was lost.

The second reading being gone through, and the ordinance further amended, it was read a third time; and on the question, shall the ordinance as amended pass? the yeas and nays being required by the state of South-Carolina:

Massachusetts,	Mr. Gorham	ay	} ay
	Mr. Dane	ay	
Rhode-Island,	Mr. Manning	ay	} ay
	Mr. Miller	ay	
Connecticut,	Mr. Johnson	ay	} ay
	Mr. Sturges	ay	
New-York,	Mr. Haring	ay	} ay
	Mr. Smith	ay	
New-Jersey,	Mr. Cadwallader	ay	} ay
	Mr. Symmes	ay	
Pennsylvania,	Mr. Pettit	ay	} ay
	Mr. Bayard	ay	
Maryland	Mr. Henry	ay	} divided
	Mr. Ramsay	no	
Virginia,	Mr. Carrington	ay	} ay
	Mr. Lee	ay	
South-Carolina,	Mr. Bull	no	} no
	Mr. Pinckney	no	
	Mr. Huger	no	
	Georgia,		

Georgia,

Mr. Houstoun

no } no

Mr. Few

no }

So it was resolved in the affirmative, and the ordinance was passed as follows :

An ordinance for establishing a board, to liquidate and settle all accounts between the United States, and individual states.

It is hereby ordained, by the United States in Congress assembled, that the authority of the commissioners appointed in pursuance of the resolution of Congress of the 20th February, 1782, shall, from and after the first day of April next, terminate and cease, except the commissioners for the states of North-Carolina and Georgia, who shall continue in office for the purpose of settling the claims of individuals for such longer time, not exceeding six months, as the board of treasury shall direct ; provided always, that the board of treasury may sooner dismiss any of the said commissioners. That a board, to consist of three members, any two of whom shall be a quorum, be appointed, who shall be and hereby are invested with all the powers and authorities of the aforesaid commissioners, so far as they relate to the settlement of the accounts between the United States and individual states, and shall sit where Congress may from time to time direct.

That in cases where no written vouchers can be produced for claims founded upon existing resolutions of Congress, and the said board shall receive satisfactory evidence that such vouchers have been destroyed or unavoidably lost, or that from the circumstances of the case, they have never been obtained, the said board may receive such other evidence as shall be satisfactory to them, provided the same be the best that the nature and circumstances of the case will admit of, and at their discretion may examine on oath, any person or persons they may think fit, respecting the claims exhibited, whether accompanied with written vouchers or not.

That in cases where the testimony of a witness not residing within twenty miles of the place where the said board shall sit, shall appear to be essential, the said board are hereby authorised to issue a commission to some proper person or persons to take his deposition in writing, with the interrogatories and answers, in presence of the agent or

agents.

agents of the party claimant, his or their attorney, and the person appointed by the said board agent on the part of the United States: And the said board are hereby authorized to appoint some suitable person to be present as agent of the United States, at the taking of such deposition, to interrogate the witness, and observe that his evidence contain the whole truth, and nothing more: And the said board shall in each commission, notify to the person or persons to whom the said commission may be issued, the name and place of residence of such agent, and the said person or persons shall give due notice in writing to the party claimant, and to the said agent to be present at taking such deposition, allowing at the rate of one day for every ten miles the most remote of them shall be from the place where the deposition is to be taken.

That it be and it is hereby recommended to the legislatures of the several states, to pass laws to enable the said board, and the person or persons so commissioned by them, to call before them respectively witnesses, and examine them on oath or affirmation, in all matters touching the claims exhibited to the said board.

That where any state has claims against the United States, not authorized or sanctioned by existing resolutions of Congress, and the same shall be laid before the said board, within one year after the organization thereof, the board shall examine the same, and report the state of such claims, with their opinion thereon, to Congress.

That the commission of the board shall continue in force for three years, unless sooner revoked by Congress.

Done, &c.

M O N D A Y, *October 16, 1786.*

Congress assembled---Present Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, South-Carolina and Georgia.

Congress resumed the consideration of the ordinance for the establishment of a mint, and the same being read a third time, was passed as follows:

An ordinance for the establishment of the mint of the United States of America, and for regulating the value and alloy of coin.

It is hereby ordained by the United States in Congress assembled, that a mint be established for the coinage of gold, silver

silver and copper money, agreeably to the resolves of Congress of the 8th August last, under the direction of the following officers, viz.

An *Assay Master*, whose duty it shall be to receive gold and silver in bullion, or foreign coin, to assay the same and to give his certificates for the value thereof at the following rates :

For every pound troy weight of uncoined gold or foreign gold coin, eleven parts fine and one part alloy, two hundred and nine dollars, seven dimes and seven cents, money of the United States, as established by the resolves of Congress of the 8th of August last, and so in proportion to the fine gold contained in any coined or uncoined gold whatsoever.

For every pound troy weight of uncoined silver, or foreign silver coin, eleven parts fine and one part alloy, thirteen dollars, seven dimes, seven cents and seven mills, money of the United States, established as aforesaid; and so in proportion to the fine silver contained in any coined or uncoined silver whatsoever.

A *Master Coiner*, whose duty it shall be to receive from time to time of the assay master, the bullion necessary for coinage; to report to Congress devices and proofs of the proposed pieces of coin, and to procure proper workmen to execute the business of coinage, reporting from time to time to the commissioners of the board of treasury of the United States for approbation, and allowance, the occupation, number and pay of the persons so employed.

A *Paymaster*, who shall be the treasurer of the United States for the time being, whose duty it shall be to receive and take charge of the coin made under the direction of the master coiner, and to receipt for the same; to receive and duly enter the certificates for uncoined gold or silver issued by the assay master, and to pay ninety-five hundredths of the amount thereof in gold or silver and five hundredths in the copper coin of the United States.

And it is hereby further ordained, That the certificates to be given by the assay master, to persons who shall lodge gold or silver in the mint for coinage, shall be on fine bank paper, and expressed in the manner and form following, to wit,

Mint of the United States,

I ACKNOWLEDGE to have received of A. B. for coinage
(here

(here insert the weight) of (insert the species) bullion, for the amount of which, pay to or bearer, the sum of at ten days sight, agreeably to the custom of the mint.

C. D. Assay Master.

To E. F. Pay-Master of the Mint }
of the United States of America. }

And it is hereby further ordained, That the officers above mentioned, shall settle their accounts monthly, agreeably to such forms and vouchers as shall be prescribed by the comptroller of the treasury.

And it is hereby further ordained, That the officers shall enter into bonds to the United States in Congress assembled, for the faithful execution of the trust respectively reposed in them, in the manner and amount following, viz.

The assay master, in the sum of ten thousand dollars, and two sureties, each in the sum of five thousand dollars.

The master coiner in the sum of ten thousand dollars, and two sureties each in the sum of five thousand dollars.

And that the officers mentioned in this ordinance, as well as every other person employed in the mint, shall take and subscribe the oath of office, established by the resolve of the 14th March, 1786.

And it is hereby further ordained, That it shall be the duty of the comptroller of the treasury to report monthly to the commissioners of the treasury of the United States, a statement of the mint accounts adjusted agreeably to the usual forms; and if on such statement or other information it shall appear, that there has been any neglect, mismanagement or abuse of trust, in any of the officers mentioned in the within ordinance, it shall be the duty of the commissioners of the board of treasury to suspend such officer or officers and to report thereon specially to Congress.

And it is hereby further ordained, That the copper coin struck under the authority of the United States in Congress assembled, shall be receivable in all taxes, or payments due to the United States, in the proportion of five dollars for every hundred dollars so paid; but that no other copper coin whatsoever, shall be receiveable in any taxes or payments whatsoever to the United States.

And whereas, The great quantities of base copper coin

daily

daily imported into, or manufactured within the several states, is become so highly injurious to the interest and commerce of the same, as to require the immediate interposition of the powers vested by the confederation in the United States in Congress assembled, of regulating the value of copper, the coin so current as aforesaid.

It is hereby ordained, That no foreign copper coin whatsoever, shall after the first day of September 1787, be current within the United States of America : And that no copper coin struck under the authority of a particular state, shall pass at a greater value than one federal dollar for two pounds and one quarter of a pound avoirdupois weight of such copper coin.

Done, &c.

On a report of the board of treasury, to whom was referred a letter of the 30th November, 1785, from Messrs. Schweighhouser and Dobre, of Nantz, in behalf of the late Mr. Daniel Schweighhouser :

Resolved, That the minister plenipotentiary of the United States at the court of France be, and he is hereby authorized and directed to cause the claim of the representatives of the late Daniel Schweighhouser, of Nantz, against the United States of America, to be adjusted in such manner as he shall judge most for the interest and honor of the said states ; and that the property of the United States in the custody of the above mentioned party claimant, be applied towards the discharge of the balance, if any, which shall be found due, so far as the same may be necessary, on such principles as shall be agreed on betwixt the said minister plenipotentiary and the above claimants.

Ordered, That the board of treasury transmit a copy of the above resolve to the minister plenipotentiary of the United States at the court of France, together with such documents relative to the said claim as they may judge necessary.

T U E S D A Y, October 17, 1786.

Congress assembled---Present as yesterday.

On motion of Mr. Pinckney, seconded by Mr. Smith :

Resolved, That the assay-master, to be appointed under the

the ordinance passed yesterday for the establishment of a mint for the United States, shall be allowed six hundred dollars, and the master coiner one thousand dollars per annum.

Resolved, That Monday next be assigned for the election of the officers above mentioned.

On motion of Mr. Lee, seconded by Mr. Smith,

Ordered, That the board of treasury transmit to the several states the requisition for the year 1786, passed the second of August last; and that the board also transmit an accompanying state of the receipts and expenditures to the 30th of June last, the balances then due, together with an estimate of the accumulation of the public debts by a failure in complying with the requisitions heretofore made.

W E D N E S D A Y, *October 18, 1786.*

Congress assembled---Present as before.

T H U R S D A Y, *October 19, 1786.*

Congress assembled---Present as before.

F R I D A Y, *October 20, 1786.*

Congress assembled----Present Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, South-Carolina and Georgia.

The committee, consisting of Mr. Pettit, Mr. Lee, Mr. Pinckney, Mr. Henry and Mr. Smith, to whom was referred the letter from the war office, with the papers enclosed, containing intelligence of the hostile intentions of the Indians in the western country, having reported,

“That the uniform tenor of the intelligence from the western country plainly indicates the hostile disposition of a number of Indian nations, particularly the Shawanese, Puteotamies, Chippawas, Tawas and Twightwees: That these nations are now assembling in the Shawanese towns, and are joined by a banditti of desperadoes, under the name of Mingoes and Cherokees, who are outcasts from other nations, and who have associated and settled in that country for the purpose of war and plunder: That they are labouring to draw in other nations to unite with them.

In a war with the Americans : That it is expected one thousand warriors will soon be collected in the Shawanese towns, from whence they have already dispatched parties to commence hostilities : That from the motions of the Indians to the southward as well as the northward, and the exertions made in different quarters to stimulate the various nations against the Americans, there is the strongest reason to believe that, unless the speediest measures are taken effectually to counteract and defeat their plan, the war will become general, and will be attended with the most dangerous and lasting consequences : that the committee, therefore, deem it highly necessary that the troops in the service of the United States be immediately augmented, not only for the protection and support of the frontiers of the states bordering on the western territory and the valuable settlements on and near the margin of the Mississippi, but to establish the possession and facilitate the surveying and selling of those intermediate lands which have been so much relied on for the reduction of the debts of the United States :” whereupon

Resolved, unanimously, That the number of one thousand three hundred and forty non-commissioned officers and privates be raised for the term of three years, unless sooner discharged, and that they together with the troops now in service be formed into a legionary corps, to consist of 2,040 non-commissioned officers and privates : That the additional troops be raised by the following states, in the following proportions, to wit.

New-Hampshire,	260	} Infantry and Artillery.
Massachusetts,	660	
Rhode-Island,	120	
Connecticut,	180	

Maryland and Virginia each 60 cavalry, making 120.

That the secretary at war inform the executive authorities of the respective states, in which the troops are to be raised, the number and rank of commissioned officers to be furnished by each state, in proportion to the men.

That the pay and allowances to the troops to be raised by this resolve be the same as established by the act of Congress of the 12th of April, 1785.

That the said troops shall be subject to the existing articles of war or such as may hereafter be formed by Congress or a committee of the states.

That the board of treasury contract for a supply of cloathing and rations, at such places and in such quantities as the secretary at war shall judge necessary.

Resolved, unanimously, That the states above mentioned be, and they are hereby requested to use their utmost exertions to raise the quotas of troops respectively assigned them with all possible expedition, and that the executive of the said states be and hereby are requested, in case any of their legislatures should not be in session, immediately to convene them for this purpose, as a delay may be attended with the most fatal consequences.

Ordered, That the board of treasury, without delay, devise ways and means for the pay and support of the troops of the United States upon the present establishment, and report the same to Congress.

S A T U R D A Y, October 21, 1786.

Congress assembled---Present as yesterday.

On the report of the board of treasury, pursuant to the order of yesterday, to devise ways and means for the pay and support of the troops of the United States upon the present establishment :

Resolved, unanimously, That the several states in the confederacy be and they are hereby required to pay into the federal treasury, on or before the first day of June, 1787, their respective quotas of the sum of five hundred and thirty thousand dollars in specie, which quotas are as follows :

New-Hampshire	-	-	-	18,603,
Massachusetts	-	-	-	79,288,
Rhode-Island	-	-	-	11,395,
Connecticut	-	-	-	46,746,
New-York	-	-	-	45,368,
New-Jersey	-	-	-	29,415,
Pennsylvania	-	-	-	72,504,
Delaware	-	-	-	7,950,
Maryland	-	-	-	49,979,
Virginia	-	-	-	90,630,
North-Carolina	-	-	-	38,478,
South-Carolina	-	-	-	33,973,
Georgia	-	-	-	5,671,

Which sums, when paid, shall be passed to the credit of
the

the states respectively, on the terms prescribed by the resolve of Congress of the 6th day of October, 1779; and that the monies arising from the said requisition be and hereby are appropriated for the pay and support of the troops on the present establishment.

Resolved, unanimously, That the board of treasury be and they are hereby authorized and directed to open a loan immediately to the amount of five hundred thousand dollars, at six per cent. per annum, on the credit of the foregoing requisition, which they are hereby authorized to pledge to the lenders for the faithful reimbursement of the monies loaned, with the interest thereof.

M O N D A Y, October 23 1786.

Congress assembled---Present Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, South-Carolina and Georgia; and from Maryland Mr. Ramsay, and from Virginia Mr. Lee.

The committee, consisting of Mr. Pinckney, Mr. Smith and Mr. Henry, to whom was referred an act of the legislature of the state of Georgia, passed in consequence of the resolution of the 30th April, 1784, respecting commerce, and the subject of the said recommendation, having reported,

“That it appears by the said resolutions, the United States in Congress assembled recommended to the legislatures of the several states, to vest them, for the term of fifteen years, with powers to prohibit any goods, wares or merchandize from being imported into or exported from any of the states, in vessels belonging to or navigated by the subjects of any power with whom these states shall not have formed treaties of commerce.--That they also recommended to the legislatures of the said states, to vest the United States in Congress assembled, for the term of fifteen years, with the power of prohibiting the subjects of any foreign state, kingdom or empire, unless authorized by treaty, from importing into the United States any goods, wares or merchandize, which are not the produce or manufacture of the dominions of the sovereign whose subjects they are: provided that to all acts of the United States in Congress assembled, in pursuance of the above powers, the assents
of

of nine states shall be necessary. The committee have carefully examined the acts passed by the several states in pursuance of the above recommendation, and find--That the state of Delaware has passed an act in full compliance with the same--That the acts of the states of Massachusetts, Rhode-Island, New-York, New-Jersey, Virginia and Georgia, are in conformity to the said recommendation, but restrained in their operation until the other states should have granted powers equally extensive :--That the states of Connecticut, Pennsylvania and Maryland, have passed laws agreeable to the said resolution, but have fixed the time at which the powers thereby invested shall begin to operate, and not left the same to commence at the time on which Congress shall begin to exercise it--- which your committee conceive to have been the intention of the same : That South-Carolina, by an act passed the 11th March, 1786, have invested the United States in Congress assembled with the power of regulating the trade of the United States with the West-Indies and all other external or foreign trade of the said states for the term of fifteen years from the passing of the said act : That New-Hampshire, by their act of the 23d of June, 1785, invested the United States in Congress assembled with the full power of regulating trade for fifteen years by restrictions or duties, with a proviso suspending its operation until all the other states shall have done the same : That North-Carolina, by their act of the 2d June, 1784, have authorized their delegates to agree to and ratify an article or articles by which Congress shall be empowered to prohibit the importation of all foreign goods in any other than vessels owned by citizens of the United States or navigated by such a proportion of seamen citizens of the United States as may be agreed to by Congress, which when agreed to by all the states shall be considered as a part of the articles of confederation and perpetual union. From the above review of the acts passed by the several states, in consequence of the said recommendation, it appears that, though in order to make the duration of the powers equal, it will be necessary for the states of Connecticut, Pennsylvania, Maryland and South-Carolina, so far to amend their acts as to permit the authorities therein granted to commence their operation at the time Congress shall begin to exercise them

them, yet still the powers granted by them and by the states of Massachusetts, Rhode-Island, New-York, New-Jersey, Delaware, Virginia and Georgia, are otherwise in such compliance with the recommendation, that if the states of New-Hampshire and North-Carolina had conformed their acts to the said resolution, agreeable to the urgent recommendation of Congress of the 3d of March last, the powers therein requested might immediately begin to operate.--The committee, however, are of opinion, that the acts of the states of New-Hampshire and North-Carolina, manifest so liberal a disposition to grant the necessary powers upon this subject, that their not having complied with the recommendation of March last, must be attributed to other reasons than a disinclination in them to adopt measures similar to those of their sister states---The committee, therefore, conceive it unnecessary to detail to them the situation of our commerce, languishing under the most ruinous restrictions in foreign ports, or the benefits which must arise from the due and equal use of powers competent to its protection and support, by that body which can alone beneficially, safely and effectually exercise the same :''--whereupon,

Resolved, That it be again earnestly recommended to the legislatures of the states of New-Hampshire and North-Carolina, at their next session, to reconsider their acts and pass them in such conformity with the resolutions of the 30th April, 1784, as to enable, on their part, the United States in Congress assembled to exercise the powers thereby invested as soon as possible.

Resolved, That as the extent and duration of the powers to be exercised by the United States in Congress assembled, under the recommendation above mentioned, ought to be equal, it be recommended to the legislatures of Connecticut, Pennsylvania, Maryland and South-Carolina, so far to amend their acts, as to vest the powers therein contained for the term of fifteen years from the day on which Congress shall begin to exercise the same.

T U E S D A Y, October 24, 1786.

Congress assembled---Present Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Maryland, South-

South-Carolina and Georgia; and from Virginia Mr. Lee.

W E D N E S D A Y, *October 25, 1786.*

Congress assembled--Present as yesterday.

T H U R S D A Y, *October 26, 1786.*

Congress assembled---Present Massachusetts, New-York, New-Jersey, Pennsylvania, Maryland, South-Carolina and Georgia; and from Rhode-Island Mr. Miller, and from Virginia Mr. Lee.

On a report of the post-master general,

Resolved, That the post-master general make such an allowance to the post-master at the port where the European packets do, or shall statedly arrive, in addition to the emoluments of his office, as may be a reasonable compensation for his extra services in the receipt and dispatch of letters originally received into his office from on board such packets, and by him forwarded to other offices.

M O N D A Y, *October 30, 1786.*

Congress assembled--Present Massachusetts, New-York, Pennsylvania, Maryland, Virginia, South-Carolina and Georgia; and from New-Jersey Mr. Hornblower.

On a report from the board of treasury, to whom was referred their letter of the 17th, enclosing a letter of the 10th from William Ellery, esquire, commissioner of the loan-office in the state of Rhode-Island:

Resolved, That it would have been improper to have continued the issue of indents of interest in the state of Rhode-Island and Providence Plantations, after the act of the said state declaring their paper currency receivable in payment of federal taxes, and that the conduct of the commissioner of the loan-office in the said state in discontinuing on that account the further issue of indents of interest, be and it is hereby approved.

T U E S D A Y, *October 31, 1786.*

Congress assembled---Present as yesterday.

A report

A report from the post-master general on the subject of forming a contract for the transportation of the mail, pursuant to the resolution of the 4th of September, being read,

A motion was made by Mr. King, seconded by Mr. Smith,

That the post-master general be informed that the words "if practicable," in the resolution of the 4th of September, are not to be construed so as to bind him to form the contract for the transportation of the mail on terms inconvenient to the mercantile interest, or to comply with the extravagant demands of the contractors.

On the question to agree to this, the yeas and nays being required by Mr. King:

Massachusetts,	Mr. Gorham	ay	} ay
	Mr. King	ay	
	Mr. Dane	ay	
New-York,	Mr. Lawrance	ay	} ay
	Mr. Haring	ay	
	Mr. Smith	ay	
New-Jersey,	Mr. Hornblower	ay	} ay
Pennsylvania,	Mr. Pettit	ay	
	Mr. Bayard	ay	
Maryland,	Mr. Henry	ay	} ay
	Mr. Ramsay	ay	
Virginia,	Mr. Carrington	ay	
	Mr. Lee	ay	} divided
South-Carolina,	Mr. Pinckney	no	
	Mr. Huger	ay	
Georgia,	Mr. Houstoun	ay	} ay
	Mr. Few	ay	

So the question was lost.

W E D N E S D A Y, November 1, 1786.

Congress assembled--Present as before.

A motion was made by Mr. Pinckney, seconded by Mr. Bull, in the words following:

"Whereas it appears that the resolution of the 4th of September last, authorising and instructing the post-master general to enter into contracts for the transportation of the mails in stage carriages, if practicable, so far as it respects the states of New-Jersey, Pennsylvania, Delaware, Maryland

Maryland and Virginia, is inexpedient, and that they might be conveyed upon more reasonable and convenient terms should the post-master general be left at liberty to contract for the same either by the stage carriages or post-riders, as shall appear to him most conducive to the public interest : Resolved, that the post master general be and he is hereby empowered to contract for carrying the said mails through all or either of the states above mentioned, in such way and manner as shall appear to him most consistent with the public interest, giving, however, in all propofals for contracts which are equal or nearly so in expence, a preference to the conveyance by stage carriages. And whereas the intention of Congress in having the mails transported by stage carriages was not only to render their conveyance more certain and secure, but by encouraging the establishment of stages to make the intercourse between the different parts of the union less difficult and expensive than formerly ; and as a discretionary power in the post-master general, either to employ post-riders or contract with the owners of the stage-carriages for conveying the mail in the states of North-Carolina, South-Carolina and Georgia, might interfere with the object of promoting and establishing the running of stages in the said states : Resolved, that so far as respects the states of North-Carolina, South-Carolina and Georgia, it is improper to alter the post-master general's present instructions touching the conveyance of the mail through the same."

On the question to agree to this motion, the yeas and nays being required by Mr. Pinckney :

Massachusetts,	Mr. Gorham	no	} no
	Mr. King	no	
	Mr. Dane	no	
New-York,	Mr. Lawrence	ay	} no
	Mr. Haring	no	
	Mr. Smith	no	
New-Jersey,	Mr. Hornblower	no	} *
Pennsylvania,	Mr. Pettit	no	
	Mr. Bayard	no	
Maryland,	Mr. Henry	no	} no
	Mr. Ramfay	no	
Virginia,	Mr. Carrington	ay	} divided
	Mr. Lee	no	
			South-

South-Carolina,	Mr. Bull	ay	} ay
	Mr. Pinckney	ay	
	Mr. Kean	ay	
	Mr. Huger	ay	
	Mr. Parker	ay	
Georgia;	Mr. Houstoun	no	} divided
	Mr. Few	ay	

So the question was lost.

T H U R S D A Y, November 2, 1786

Congress assembled--Present as before.

F R I D A Y, November 3, 1786.

Congress assembled---Present as before.

On motion of Mr. Houstoun, seconded by Mr. Bayard,

Resolved, That the several matters now before Congress, be referred over and recommended to the attention of the United States in Congress assembled, to meet at this place on Monday next.

On motion of Mr. Lee, seconded by Mr. Bayard,

Resolved, That the thanks of Congress be given to his excellency Nathaniel Gorham, for his able and faithful discharge of the duties of president, while acting in that important station.



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